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JOURNAL

OF THE

THIRD BIENNIAL SESSION

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA,

SESSION 1851-'52,

HELD IN THE

CIT[illegible] OF MONTGOMERY.

WITH AN INDEX,
PREPARED BY THE SECRETARY OF STATE.

MONTGOMERY:
BRITTAN AND DE WOLF, STATE PRINTERS.
.....
1852.

JOURNAL.

MONTGOMERY, ALA.,
MONDAY, NOVEMBER 10th, 1851.

This being the second Monday in November, in the year of our Lord one thousand eight hundred and fifty-one, the day designated by law for the meeting of the General Assembly of the State of Alabama, the members elect to the House of Representatives appeared in the Representative Hall of the State capitol.

On motion of Mr. Wilson, Mr Lea was called to the Chair, and on motion of Mr Hall, Mr. Alex. B. Clitherall was appointed Clerk *pro tem*

The roll of the counties being called, the following members of the House of Representatives were qualified and took their seats, to-wit: From the county of

Autauga—Bolling Hall, C. C. Howard

Baldwin—Wm Booth.

Barbour—John Gill Shorter, John W W. Jackson.

Benton—Wm. C Price, Wm P. Davis, Matthew Allen.

Bibb—James W Davis

Blount—Thomas W Staton

Butler—John S. McMullen, Brockman W Henderson.

Chambers—W. W. Carlisle, P. M Allison, Geo. R. Hendree, Calvin Presley.

Cherokee—John S Moragne, Thos. B. Cooper

Clarke—A J Henshaw.

Coffee—Wm Holley

Conecuh—Wm A. Ashley.

Coosa—N S Graham, Henry W Cox

Covington—George A. Snowden.

Dale—E R Boon.

Dallas—Benjamin W. Woolsey, H. Bussey

DeKalb—Alex. W. Majors, Notley M. Warren.

Fayette—A. J Coleman J. K. McCollum.

Franklin—Wesley M. Smith, R S Watkins, Wm. H. Pettey.

Greene—Allen C. Jones, James D. Webb.

Henry—George W. Williams, A. J. McAllister.

Jackson—Thomas Wilson, Joshua Stephens Jas. C. Austin.

Jefferson—William S. Earnest, S. A. Tarrant.

Lauderdale—O. H. Oates, R. W. Walker, V. M. Benham.

Lawrence—J. Armstrong, W. C. Graham.

Limestone—Nathaniel Davis, Nicholas Davis, jr.

Lowndes—J. M. Gonder, James S. Williamson.

Macon—John Smith, Seaborn Williams.

Madison—Michael A. King, C. D. Kavanaugh, H. C. Bradford.

Marengo—B. N. Glover, Wm. M. Byrd.

Marion—Kimbro T. Brown.

Marshall—James M. Adams, James Critcher.

Mobile—P. Phillips, Price Williams, C. P. Robinson.

Monroe—C. McCaskill.

Montgomery—Wm. B. Moss, Francis S. Jackson, Thomas Caffey.

Morgan—John D. Rather, Wm. H. Campbell.

Perry—George Goldsby, Henry C. Lea, Porter King.

Pickens—Lewis M Stone, James B. Gladney.

Pike—Levi Freeman, Richard Benbow.

Randolph—John Reaves, Robert Pool.

Russell—Sterling Bass, jr., O. B. Walton.

Shelby—W L. Prentice, Joseph Roper.

St. Clair—Albert G. Bennett.

Sumter—John C. Whitsitt, John R. Larkin, D. Hopkins.

Talladega—A. J. Liddell, Alves. Quinton Nicks, Nat. Geo. Shelley.

Tallapoosa—John Rowe, Michael J. Bulger.

Tuskaloosa—R. H. Clements, James B. Wallace, Marion Banks.

Walker—John Manasco.

Washington—B. L. Turner.

Wilcox—Franklin K. Beck, D. W. Sterritt.

The House then proceeded to the election of a Speaker.

Mr. Wilson nominated Mr. Nathaniel Davis;

Mr. Warren nominated Mr. Michael A. King;

Mr. Campbell nominated Mr John D. Rather.

Those who voted for Mr. Davis are:

Messrs. Allen,
Adams,
Austin,
Bennett,
Boon,
Bulger,
Bussey,
Clements,
Coleman,
Cox,
James W. Davis,

Messrs. Nich. Davis,
Wm P. Davis,
Goldsby,
N S. Graham,
Hall,
Henshaw,
Howard,
J. W. W. Jackson,
Jones,
Porter King,
Manasco,

Messrs. Moragne,
McAllister,
McCaskill,
McMullen,
Phillips,
Pool,
Price,
Reaves,
Robinson,
Rowe,
Stone,

Messrs. Turner,
Whitsitt,
Messrs Geo. W. Williams,
Price Williams.
Mr. Wilson.—39.

Those who voted for Mr. King are:

Messrs. Allison,
Banks,
Beck,
Bradford,
Carlisle,
Cooper.
Crutcher,
Hendree,
Messrs. Holley,
F S Jackson,
Kavanaugh,
Liddell,
Majors,
Nicks,
Prentice,
Shelley.
Messrs. John Smith,
Staton,
Stephens,
Sterritt,
Snowden,
Wallace,
Warren,
S. Williams.—24.

Those who voted for Mr. Rather are:

Messrs. Armstrong,
Ashley,
Bass,
Benbow,
Benham,
Booth,
Brown,
Byrd,
Catley,
Campbell,
Earnest,
Freeman,
Messrs Glover,
Gonder,
Wm C Graham,
Henderson,
Hopkins,
Larkins,
Lea,
McCollum,
Moss,
Oates,
Petty,
Messrs. Presley,
Roper,
Shorter,
Wesley M. Smith,
Tarrant,
Walker,
Walton,
Watkins,
Webb,
Williamson,
Woolsey —34.

Neither of the candidates having received a majority of the whole number of votes given, the House proceeded to ballot a second time.

Those who voted for Mr. Davis are:

Messrs Adams,
Allen,
Austin,
Bennett,
Boon,
Bulger,
Bussey.
Clements,
Coleman,
Cox,
James W. Davis,
Nich Davis,
Wm. P Davis,
Goldsby,
Messrs N S Graham,
Hall,
Henderson.
Howard.
J W W. Jackson,
Porter King,
Majors,
Manasco,
Moragne,
McAllister,
McCaskill,
McMullen.
Phillips,
Messrs. Pool,
Prentice,
Price,
Reaves,
Robinson,
Rowe,
Shorter,
Stone,
Turner.
Whitsitt,
Geo W. Williams,
Price Williams,
Wilson.—42.

Those who voted for Mr. Rather are:

Messrs. Allison,
Armstrong,
Ashley,
Bass,
Beck,
Benbow,
Benham,
Booth,
Bradford,
Brown,
Byrd,
Catley,
Campbell,
Messrs Carlisle,
Cooper,
Crutcher,
Earnest,
Freeman,
Glover,
Gonder.
W. C. Graham,
Hendree,
Holley,
Hopkins,
F. S Jackson,
Kavanaugh,
Messrs. Larkin,
Lea,
Liddell,
McCollum,
Moss,
Nicks,
Oates,
Petty,
Presley,
Roper,
Shelley.
John Smith.
Wesley M. Smith,

Messrs. Staton,
Stephens,
Sterritt,
Snowden,
Tarrant,

Messrs. Walker,
Wallace,
Walton,
Warren,
Watkins,

Messrs. Webb,
Seaborn Williams,
Williamson,
Woolsey.—.53

Mr. Banks voted for Mr. King.—1.

Mr. Rather having received a majority of the whole number of votes given, was escorted to the chair by a committee composed of Messrs. W. M. Smith and Moss, was qualified, and entered upon the discharge of the duties of his office.

The House then proceeded to the election of a Principal Clerk. Alexander B. Clitherall, of Pickens, and Daniel Sayre, of Macon, being in nomination,

Those who voted for Mr. Clitherall are:

Messrs. Speaker,
Adams,
Allen,
Armstrong,
Austin,
Banks,
Beck,
Bennett,
Boon,
Brown,
Bulger,
Bussey,
Campbell,
Clements,
Coleman,
Cox,
James W Davis,
Nath Davis,
W. P. Davis,
Earnest,

Mess s. Goldsby,
N. S. Graham,
W C Graham,
Hall,
Henderson,
Howard,
J W W. Jackson,
Jones,
M A King,
Porter King,
Majors.
Manasco,
Moragne,
McAllister,
McCaskill,
McCollum,
McMullen,
Oates,
Pettey,
Phillips,

Messrs. Pool,
Prentice,
Price,
Reaves,
Robinson,
Rowe,
Shorter,
W. M Smith,
Staton,
Stephens,
Sterritt,
Snowden,
Stone,
Tarrant,
Turner,
Whitsitt.
G W Williams,
Price Williams,
Wilson.—59.

Those who voted for Mr. Sayre are:

Messrs. Allison,
Ashley,
Bass,
Benbow,
Benham,
Booth.
Bradford,
Byrd,
Caffey,
Carlisle,
Cooper,
Critcher,
Nich Davis,

Messrs. Freeman,
Glover,
Gunder,
Hendree,
Holley,
Hopkins.
F S Jackson.
J W W Jackson,
Kavanaugh,
Larkin,
Lea,
Liddell,
Moss.

Messrs. Nicks,
Presley,
Roper,
Shelley,
John Smith,
Walker,
Wallace,
Walton,
Watkins,
Webb.
Seaborn Williams,
Williamson,
Woolsey.—39.

Mr. Clitherall having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Principal Clerk of the House of Representatives for the term prescribed by law. He was qualified and entered upon the discharge of the duties of his office.

The House then proceeded to the election of an Assistant Clerk. Frank Gilbreath, of Marshall, James H. Cooper, of Cherokee, B. Y. Ramsey, of Sumter, Charles Price and Thomas M. Macon, of Montgomery, being in nomination.

Those who voted for Mr. Gilbreath are:

Messrs. Speaker,
Armstrong,
Austin,
Bennett,
Bradford,
Campbell,
James W. Davis,
Messrs. Nathaniel Davis,
Wm. P. Davis,
Kavanaugh,
M. A. King,
Manasco,
Oates,
Pettey,
Messrs. Phillips,
Prentice,
Price,
Staton,
Stephens,
Walker.—22.

Those who voted for Mr. Cooper are:

Messrs. Allison,
Banks,
Bass,
Benham,
Boon,
Booth,
Brown,
Carlisle,
Clements,
Coleman,
Cooper,
Earnest,
Messrs. Glover,
Gonder,
Wm C. Graham,
Hendree,
Henshaw,
Holley,
Lea,
Liddell,
Majors,
Moragne,
McCollum,
Nicks,
Messrs. Presley,
Roper,
Shelley,
John Smith,
Snowden,
Wallace,
Walton,
Warren,
Watkins,
Williamson,
Wilson.—35

Those who voted for Mr. Ramsey are:

Messrs. Byrd,
Nich Davis,
Goldsby,
Hopkins,
Jones,
Porter King,
Messrs. Larkin,
McCaskill,
Robinson,
Stone,
Tarrant,
Turner,
Messrs. Webb,
Whitsitt,
Geo. W. Williams,
Price Williams,
Woolsey.—17.

Those who voted for Mr. Price are:

Messrs. Beck,
Bulger,
Bussey,
Cox,
N. S. Graham,
Hall,
Messrs. Henderson,
Howard
J. W. W. Jackson,
McAllister,
McMullen,
Messrs. Pool,
Reaves,
Rowe,
Shorter,
Sterritt.—16.

Those who voted for Mr. Macon are:

Messrs. Ashley,
Benbow,
Caffey,
Messrs. Freeman,
F. S. Jackson,
Moss,
Messrs. Wesley M. Smith,
S. Williams.—8.

Neither of the candidates having received a majority of the whole number of votes given, the House proceeded to ballot a second time. the name of Mr. Macon being withdrawn.

Those who voted for Mr. Gilbreath are:

Messrs. Speaker,
Adams,
Allen,
Armstrong,
Austin,
Benham,
Bennett,
Messrs. Bradford,
Campbell,
James W. Davis,
Nathaniel Davis,
Nicholas Davis,
Hall,
Kavanaugh,
Messrs. M. A. King,
Manasco,
Oates,
Pettey,
Phillips,
Prentice,
Price,

Messrs. Wesley M. Smith,
Staton,
Messrs. Stephens,
Walker,
Mr. Wilson.—27.

Those who voted for Mr. Cooper are:

Messrs. Allison,
Banks,
Bass,
Benbow,
Boon,
Booth,
Brown,
Bussey,
Byrd,
Caffey,
Carlisle,
Coleman,
Cooper,
Earnest,
Messrs. Freeman,
Glover,
Gonder,
Wm. C. Graham,
Hendree,
Henshaw,
Holley,
F. S. Jackson,
Lea,
Liddell,
Majors,
Moragne,
McCollum,
Moss,
Messrs. Nicks,
Presley,
Roper,
Shelley,
John Smith,
Snowden,
Wallace,
Walton,
Warren,
Watkins,
Price Williams,
Seaborn Williams,
Williamson,
Woolsey.—42.

Those who voted for Mr. Ramsey are:

Messrs. Ashley,
Beck,
Goldsby,
Hopkins,
Jones,
Messrs. Porter King,
Larkin,
McCaskill,
Robinson,
Stone,
Messrs. Tarrant,
Turner,
Webb,
Whitsitt,
G. W. Williams-15.

Those who voted for Mr. Price are:

Messrs. Bulger,
Clements,
Cox,
N. S. Graham,
Henderson.
Messrs. Howard,
J W W. Jackson,
McAllister,
McMullen,
Pool,
Messrs. Reaves,
Rowe,
Shorter,
Sterritt.—14.

Neither of the candidates having received a majority of the whole number of votes given, the House proceeded to ballot a third time.

Those who voted for Mr. Gilbreath are:

Messrs. Speaker,
Adams,
Allen,
Armstrong,
Ashley,
Austin,
Benham,
Bennett,
Bradford,
Bulger,
Campbell,
James W. Davis,
Nathaniel Davis,
Nicholas Davis,
Messrs. W. P. Davis,
Goldsby,
Hall,
Henderson,
Howard,
J. W. W. Jackson,
Kavanaugh,
M. A. King,
Porter King,
Manasco,
McCaskill,
McMullen,
Oates,
Pettey,
Messrs. Phillips,
Pool,
Prentice,
Price,
Reaves,
Rowe,
Wesley M. Smith,
Staton,
Stephens,
Tarrant,
Turner,
Walker,
Wilson.—41.

Those who voted for Mr. Cooper are:

Messrs. Allison,
Banks,
Bass,
Benbow,
Boon,
Booth,
Brown,
Bussey,
Messrs. Byrd,
Caffey,
Carlisle,
Clements,
Coleman,
Cooper,
Earnest,
Freeman,
Messrs. Glover,
Gonder,
W. C. Graham,
Hendree,
Henshaw,
Holley,
F. S. Jackson,
Lea,

Messrs. Liddell,
Majors,
Moragne,
McCollum,
Nicks,
Presley,
Roper,
Messrs. Shelley,
John Smith,
Sterritt,
Snowden,
Wallace,
Walton,
Messrs. Warren,
Watkins,
Price Williams,
Seaborn Williams,
Williamson,
Woolsey.—44.

Those who voted for Mr. Ramsey are :

Messrs. Beck,
Hopkins,
Jones,
Messrs. Larkin,
Robinson,
Stone,
Messrs. Webb,
Whitsitt,
G. W. Williams—9.

Those who voted for Mr. Price are :

Messrs. Cox,
N. S Graham,
Mr. Shorter,
Mr. McAllister.—4.

Neither of the candidates having received a majority of the whole number of votes given, the House proceeded to ballot a fourth time, the name of Mr. Ramsey being withdrawn.

Those who voted for Mr. Gilbreath are :

Messrs. Speaker,
Adams,
Allen,
Armstrong,
Ashley,
Austin,
Beck,
Benham
Bennett,
Boon,
Bradford,
Bulger,
Campbell,
James W. Davis,
Nathaniel Davis,
Nicholas Davis,
Messrs. Wm. P Davis,
Goldsby,
N. S Graham,
Hall,
Henderson,
Howard,
J. W W. Jackson,
Jones,
Kavanaugh,
M. A. King,
Porter King,
Manasco,
McAllister,
McMullen,
McCaskill,
Oates,
Messrs. Pettey,
Phillips,
Pool,
Prentice,
Price,
Reaves,
Robinson,
Wesley M. Smith,
Staton,
Stephens,
Tarrant,
Turner,
Walker,
Whitsitt,
G. W. Williams,
Wilson —49.

Those who voted for Mr. Cooper are :

Messrs. Allison,
Banks,
Bass,
Benbow,
Booth,
Brown,
Bussey,
Byrd,
Caffey,
Carlisle,
Clements,
Coleman,
Cooper,
Earnest,
Freeman,
Glover,
Messrs. Gonder,
Wm C. Graham,
Hendree,
Henshaw,
Holley,
Hopkins,
F. S. Jackson,
Larkin,
Lea,
Liddell,
Majors,
Moragne,
McCollum,
Moss,
Nicks,
Messrs. Presley,
Roper,
Shelley,
John Smith,
Sterritt.
Snowden,
Wallace,
Walton,
Warren,
Watkins,
Webb,
Price Williams,
Seaborn Williams,
Williamson,
Woolsey.—46.

Those who voted for Mr. Price are :

Mr. Cox - 3.

Neither of the candidates having received a majority of the whole number of votes given, the House proceeded to ballot a fifth time, the name of Mr. Price being withdrawn.

Those who voted for Mr. Gilbreath are:

Messrs. Speaker,
Adams,
Allen,
Armstrong,
Ashley,
Austin,
Beck,
Benham,
Bennett,
Boon,
Bradford,
Bulger,
Bussey,
Campbell,
Cox,
James W. Davis,
Nathaniel Davis,
Nicholas Davis,

Messrs. W. P. Davis,
Goldsby,
N. S. Graham,
Hall,
Henderson,
Howard,
J. W. W. Jackson,
Jones,
Kavanaugh,
M. A. King,
P. King,
Manasco,
McAllister,
McMullen,
Oates,
Pettey,
Phillips,

Messrs. Pool,
Prentice,
Price,
Reaves,
Robinson,
Rowe,
Shorter,
Wesley M. Smith,
Staton,
Stephens,
Stone,
Tarrant,
Turner,
Walker,
Whitsitt,
Wilson,
Woolsey.—53.

Those who voted for Mr. Cooper are:

Messrs. Allison,
Banks,
Bass,
Benbow,
Booth.
Brown,
Byrd,
Caffey,
Carlisle,
Clements,
Coleman,
Cooper,
Earnest,
Freeman,
Glover,

Gorder.
Wm. C. Graham,
Hendree,
Henshaw,
Holtey,
Hopkins,
F S. Jackson,
Larkin,
Lea,
Liddell,
Majors,
Moragne,
McCollum,
Moss,

Messrs. Nicks,
Presley,
Shelley,
John Smith,
Sterritt,
Snowden,
Wallace,
Walton,
Warren,
Watkins,
Webb.
Geo W. Williams.
Seaborn Williams,
Williamson.—45.

Mr. Gilbreath having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Assistant Clerk of the House of Representatives for the term prescribed by law. He was qualified and entered upon the discharge of the duties of his office.

The House then proceeded to the election of an Engrossing Clerk. Mr. William J. Greene, of Jackson, alone being in nomination, and he having received the whole number of votes given, was declared by Mr Speaker to have been duly and constitutionally elected Engrossing Clerk of the House of Representatives for the term prescribed by law.

The House then proceeded to the election of a Door Keeper. James M. Brundidge, James H. Owen, Joshua Smith, E. J. Greer and W. W. Cook, being in nomination,

Those who voted for Mr. Brundidge are:

Messrs. Speaker,
Adams,
Armstrong,

Messrs. Austin,
Bass,
Beck,

Messrs. Benham,
Bennett,
Bradford,

Messrs. Brown,
Cox,
Nathaniel Davis,
Nich. Davis,
Earnest,
Gonder,
Wm. C. Graham,
Hall,
Henshaw,
Holley,
Howard,
F. S. Jackson,

Messrs. J. W. W. Jackson,
Kavanaugh,
M. A. King,
Majors,
Moragne,
Oates,
Petrey,
Prentice,
Price,
Reaves,
Shorter,
Wesley M Smith,

Messrs. Staton,
Stephens,
Snowden,
Tarrant,
Walker,
Walton,
Warren,
Watkins,
G. W. Williams,
Price Williams,
Wilson.—44.

Those who voted for Mr. Owen are:

Messrs. Ashley,
Banks,
Booth,
Bussey,
Clements,
Coleman,
Critcher,
James W Davis,
Glover,

Messrs. Goldsby,
Henderson,
Hopkins,
Jones,
Porter King,
Larkin,
Manasco,
McCaskill,
McCollum,

Messrs. McMullen,
Phillips,
Robinson,
Sterritt,
Stone,
Turner,
Wallace,
Webb,
Whitsitt.—29.

Those who voted for Mr. Smith are:

Messrs. Allison,
Boon,
Byrd,
Caffey,
Carlisle.

Messrs. Cooper,
Freeman,
Hendree,
Liddell,
Moss,

Nicks,
Presley,
Roper,
Shelley,
Woolsey.—16.

Those who voted for Mr. Greer are:

Messrs. Allen,
Bulger,
Wm P Davis.

N S. Graham,
McAllister,

Pool,
Rowe.—7.

Those who voted for Mr. Cook are:

Messrs. Be[illegible],
John Smith

Messrs. Lea.
Seaborn Williams,

Mr. Williamson.—5.

Neither of the candidates having received a majority of the whole number of votes given, the House proceeded to ballot a second time, the names of Messrs. Cook and Greer being withdrawn.

Those who voted for Mr. Brundidge are:

Messrs. Speaker,
Adams,
Allen,
Armstrong,
Austin,
Bass,
Beck,
Benham,
Bennett,
Boon,
Bradford,
Brown,
Bulger,

Messrs. Bussey,
Byrd
Campbell,
Cox.
Critcher,
Nich. Davis.
Nathaniel Davis,
Wm. P. Davis,
Earnest,
Freeman,
Gonder,
N. S. Graham,
Wm. C. Graham,

Messrs. Hall,
Henshaw,
Holley,
Howard,
F. S. Jackson,
John W. W. Jackson,
Kavanaugh,
M. A. King,
Majors,
Moragne,
Oates,
Pettey,
Pool,
Prentice,
Price.
Reaves.

Messrs. Shorter,
W. M. Smith,
Staton.
Stephens,
Snowden,
Tarrant,
Walker,
Walton,
Warren.
Watkins,
Geo. W. Williams,
P. Williams,
Williamson,
Wilson,
Woolsey.—55.

Those who voted for Mr. Owen are:

Messrs. Ashley,
Banks,
Clements,
Coleman,
James W. Davis,
Glover,
Goldsby,
Henderson,
Hopkins,
Jones,
P. King,
Larkin,
Lea,

Messrs. Manasco,
McAllister,
McCaskill,
McCollum,
McMullen,
Phillips,
Robinson,
Sterritt,
Stone,
Turner,
Wallace,
Webb,
Whitsitt.—27.

Those who voted for Mr. Smith are:

Messrs. Allison.
Benbow,
Booth,
Bulger,
Caffey,
Carlisle,
Cooper,
Hendree,
Liddell,

Messrs. Moss,
Nicks,
Presley,
Roper,
Rowe,
Shelley,
John Smith,
Seaborn Williams.—17.

Mr. Brundidge having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Door-keeper of the House of Representatives for the term prescribed by law. He was qualified and entered upon the discharge of the duties of his office.

Mr. Wilson offered the following resolution, which was adopted:

Resolved, That the Chair appoint the following Standing Committees, to-wit:

On the Judiciary,
Federal Relations,
Privileges and Elections,
Internal Improvements,
Propositions and Grievances,
County Boundaries,
Enrolled Bills,
The State Capitol,
The Sixteenth Section Fund,
The University,
Public Printing,
Accounts and Claims,
On Ways and Means,
Retrenchment,
The Military,
Education,
Agriculture,
Divorce and Alimony,
Roads, Bridges and Ferries,
Corporations,
State Bank and Branches,
Banks and Banking,
The Penitentiary.

Mr. Shorter offered the following resolution, which was adopted:

Resolved, That the Senate be informed that the House of Representatives has organised by electing the Hon. John D. Rather, of Morgan, Speaker; Alexander B. Clitherall, of Pickens, Principal Clerk; Frank Gilbreath, of Marshall, Assistant Clerk; Wm. J. Greene, of Jackson, Engrossing Clerk; and Jas. M. Brundidge, of Limestone, Door-keeper, and are now ready to proceed to business.

Mr. Nathaniel Davis offered the following resolution, which was adopted:

Resolved, That the rules adopted by the House of Representatives at its last session be adopted for its government at its present session, until otherwise ordered; and that one hundred and thirty-three copies be printed for the use of the House.

Mr. Shorter offered the following resolution, which was adopted:

Resolved, That editors and reporters of newspapers be invited to seats within the bar of the House.

A message was received from the Senate by Mr. Kidd, their Assistant Secretary, informing the House that the Senate had organised by electing the Hon. Charles McLemore, President, Wm. L. Cain, Principal Secretary, Wilson M. Kidd, Assistant Secretary, and Thomas F. Pettus, Door-keeper; and that the Senate were now ready to proceed to business.

Also, that the Senate has adopted the following resolution:

Resolved, That a committee of three be appointed on the part of the Senate, to act with a like committee on the part of the House, to adopt rules for the government of the two Houses when in convention.

The resolution was concurred in, and Messrs. Nathaniel Davis, Lea and Turner appointed said committee on the part of the House.

Mr. Nathaniel Davis offered the following resolution, which was adopted :

Resolved, That the Chair appoint a committee of three, to act with a like committee on the part of the Senate; to wait on his excellency the Governor, and inform him that the two Houses have organised and are now ready to receive any communication he may have to lay before them.

Mr. Speaker appointed Messrs. Nathaniel Davis, Phillips and Wallace said committee.

And then the House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, November 11, 1851.

The House met pursuant to adjournment.

Bills were introduced by

Mr. Critcher, to divide certain property therein named :

Mr. Wallace, to incorporate the Tuscaloosa Marine and Fire Insurance Company : also, defining the duty and liability of witnesses and garnishees :

Said bills were severally read and ordered to a second reading.

Upon the call of the county of Tuscaloosa, Mr. Wallace presented a paper, of which the following is a copy :

HANCOCK COUNTY, August 8, 1851.

This is to certify that Elijah Harmon was duly and constitutionally elected as Representative of the county of Hancock, agreeable to the act in such cases made and provided.

Given under my hand and seal.

WILLIS FARRIS, *Sheriff Hancock County.*

Mr. Speaker decided the presentation of said paper to be out of order at this time, from which decision Mr. Webb appealed:

The question, Shall the decision of the Chair stand as the decision of the House? was decided in the affirmative.

A message was received from the Senate by Mr. Kidd, informing the House that the Senate had concurred in the resolution from the House appointing a committee to wait on his excellency the Governor, and that Messrs. Winston, Johnson and Frazier constituted the committee on the part of the Senate.

Mr. W. M. Smith offered the following resolution, which was lost :

Resolved, That a committee of three be appointed to prepare and report rules for the government of this House.

Mr. Nathaniel Davis, from the Joint Committee to wait upon the Governor, reported that the committee had performed the duty assigned them, and that at 12 M., his excellency would communicate to the House his biennial message.

Mr. Hall offered the following resolution, which was adopted :

Resolved, That a committee of nine, one from each judicial circuit, be appointed on the apportionment of State Senators and Representatives.

Messrs. Hall, Sterritt, Earnest, Campbell, Bradford, McCaskill, Hopkins, Moss and Rowe compose said committee.

Mr. Earnest presented Mr. Elijah Harmon with his credentials as a Representative elect from the county of Hancock, and requested that Mr. Harmon be qualified.

Mr. George W. Williams in the Chair, decided that the Chair was bound to know that the constitutional number of members was in attendance, and that the county of Hancock was not at this time entitled to a Representative on this floor.

From this decision, Mr. Earnest appealed.

The question, Shall the decision of the Chair stand as the decision of the House? was decided in the negative. Yeas 33; nays 59.

Those who voted in the affirmative are:

Messrs. Adams,
Allen,
Austin,
Banks,
Bass,
Benbow,
Booth,
Bradford,
Brown,
Bussey,
Caffey,
Clements,
Cox,
Nathaniel Davis,
Freeman,
Goldsby,
N. S. Graham,

Messrs. Henderson,
Holley,
Jones.
Porter King,
Manasco,
McAllister,
McCaskill,
Pettey,
Pool,
Reaves,
W. M. Smith,
Staton,
Stone,
Tarrant,
Turner,
Wilson.

Those who voted in the negative are:

Messrs. Allison,
Armstrong,
Ashley,
Beck,
Benham,
Bennett,
Boon,
Bulger,
Byrd,
Campbell,
Coleman,
Cooper,

Messrs. Critcher,
James W. Davis,
Nicholas Davis,
Wm. P. Davis,
Earnest,
Glover,
Gouder,
Wm. C. Graham
Hendree.
Henshaw,
Hopkins,
Howard,

Messrs. Kavanaugh,
M. A. King,
Larkin,
Lea,
Liddell,
Majors,
McCollum,
McMullen,
Moss,
Nicks,
Oates,
Phillips,
Prentice,
Presley,
Price,
Robinson,
Roper,
Rowe,

Messrs. Shelley,
Shorter,
John Smith,
Stephens,
Sterritt,
Snowden,
Walker,
Wallace,
Walton,
Warren,
Watkins,
Webb,
Whitsitt,
Price Williams,
Seaborn Williams,
Williamson,
Woolsey.

On motion of Mr. Phillips, the credentials of Mr. Harmon were referred to the Committee on Privileges and Elections.

Mr. Nathaniel Davis offered the following resolution, which was adopted:

Resolved, That the Door-keeper be instructed to cover the floor of the gallery with straw and bagging, so as to prevent the noise and confusion overhead; and to attach springs to the inner shutters of the door of this House, so as to exclude the noise and cold from the rotunda.

On motion of Mr. Shorter,

Ordered, That the Chair appoint a Standing Committee on Accounts and Claims.

Mr. Cooper introduced joint resolutions to provide for the insurance of the State capitol, which were read and ordered to a second reading.

Mr. Coleman offered the following resolution, which was lost:

Resolved, That the members of this House have their seats by lot, and that they proceed to draw for the same.

Mr. Francis S. Jackson offered the following resolution, which was adopted:

Resolved, That the use of this hall be tendered to C. G. Baylor, Esq., U. S. Consul at Amsterdam, for the purpose of giving his views upon the importance of "Direct Trade with the Continent of Europe," on to-morrow evening, at half past 7 o'clock.

Mr. Hall offered the following resolution:

Resolved, That the Clerk of the House be authorised to procure a suitable clock for the use of this House, provided the same shall not exceed in price seventy-five dollars.

Mr. Nathaniel Davis moved to amend the resolution by striking out seventy-five with a view of inserting fifty. The amendment was lost.

Mr. W. M. Smith moved to lay the resolution on the table, which motion was lost, and then the resolution was adopted.

Mr. Goldsby offered the following resolution :

Resolved, That the Door-keeper be authorised to employ an assistant at such price as may hereafter be determined upon by the House.

On motion of Mr. Wilson, the resolution was laid on the table for the present.

The hour of 12 M. having arrived, a message was received from his excellency Henry W. Collier by his private secretary, Thomas Harrison, Esq., transmitting the following communication :

EXECUTIVE DEPARTMENT,
MONTGOMERY, November 11, 1851.

Gentlemen of the Senate
and House of Representatives :

The assemblage of the representatives of the people to deliberate and act for the public welfare, furnishes an occasion for contemplating the past and endeavoring to scan the future, and must always be regarded an interesting occurrence.

We live in an eventful and progressive age, and the present and past years have not been wanting in striking and important incidents. While our people generally have been preserved in health, disease in some localities has levied more than its accustomed tribute to the grave. Death, who claims all seasons as His own, and respects neither age, sex nor condition, has cut down the chosen Executive of the Federal Government,—a man of iron nerve and unquestioned honesty, who met danger without fear upon many a hard-earned battle-field, and, protected by an unseen hand, had never surrendered. He has cast the mantle of mourning over the halls of legislation and hushed forever in the Senate Chamber the voice of one whose memory will be honored so long as the highest intellectual endowments, combined with unsullied integrity, have their admirers. He has snatched from the Chamber of Justice one of its brightest jewels, and laid prostrate not a few of our most distinguished military officers. In view of these things, we are constrained to acknowledge that "God alone is great," and "Man being in honor abideth not."

The long continued drought during the period when our crops were germinating and growing, prevented the earth from yielding its fruits commensurate with the labor and expectations of the husbandman. In some sections, it may be necessary to look abroad for indispensable supplies; yet we have abundant cause of gratitude to that watchful and controlling Providence that has taken care of us in times past, and ample assurances, that if obedient to the guidance of duty, the Divine protection will be vouchsafed unto us.

The Reports of the Comptroller of Public Accounts, the Treasurer, and the Commissioner and Trustee to settle the affairs of the State Bank and Branches, will exhibit the condition of the public finances so far as they have been realized or are in expectancy, together with the different items of the State debt and the sums annually required to pay the interest thereon, &c. Without here repeating anything contained in these reports, I beg leave to commend them to your carereful attention.

The office of Comptroller is one of the most important in the State, and requires not only a mere accountant to discharge its duties, but the incumbent should have the capacity to understand the acts of the legislature which immediately concern himself and the subordinate officers, who are required to have transactions and settlements with him. Added to these qualifications, his heavy correspondence requires that he should express himself with ease and clearness. The servises of such a man are worth and will command in some other business, quite as much as the salary the Comptroller now receives.

Within the last four years, the duties of this officer have been greatly increased, so that he cannot perform them without the constant assistance of at least one clerk. To be convinced of this, it is only necessary to remember the important modifications in the tax laws, the enlarged and complicated accounts of tax-collectors, the examination of the assessors' books, the sixteenth sections accounts, together with much other miscellaneous business, added to a daily correspondence sufficient in itself to employ half the time of a ready composer and writer.

We know that it cannot be the interest of the State to allow the public service in any department to suffer for the want of sufficient machinery to perform it; nor can it be its policy prematurely to wear out a faithful public servant by an excess of labor. To prevent such a consequence, I respectfully recommend to the General Assembly to authorise the Comptroller to appoint a clerk at a defined salary. The Comptroller should require of such an assistant bond with sufficient sureties for the performance of all the duties devolved upon him; and when such bond is executed, the assistant might be authorised to act as the representative of his principal in the event of the absence of the latter from the seat of Government, or in case of his sickness. While this, or a similar arrangement will impart proper efficiency to this branch of the financial department, it will guard against a suspension of its business in either of the contingencies mentioned.

In respect to the Treasurer, his duties and responsibilities are increased in a degree corresponding to those of the Comptroller. He is the custodian and the receiving and disbursing officer of a much larger sum of money since the passage of the tax law of 1848, and is required to give a bond with surieties, in the penalty of two hundred and fifty thousand dollars.

The duties of this officer require his daily attention, though he may not be constantly employed; and I respectfully submit to you whether his salary should not be increased. In receiving the large sums of money which are frequently paid into the treasury, as well as in disbursing them, he is liable to sustain losses by miscalculations and spurious Bank bills, far exceeding in amount the compensation he receives; added to these, the requisition of a bond for a quarter of a million of dollars is entitled to some consideration in adjusting the salary.

I cannot speak with exactness of the condition of the business confided to the Commissioner and Trustee to settle the affairs of the State Bank and Branches, but suppose it has not approximated a close, so as to make the longer continuance of that office unnecessary. The debts still due these Banks, I assume, make a large sum in the aggregate, much of which is in litigation or in a course of settlement by compromise and otherwise. This litigation involves the recovery of debts and the title to real estate, and it is fair to suppose, can be more efficiently conducted by those who are familiar with its details, than by confiding it to officers charged with other duties, or even to local agents.

Considering the large indebtedness of this State, the reduction of her bond debt is a matter of great interest to the people. To effect this object, requires a familiarity with the operations of the stock market, at home and abroad, which can only be acquired by experience in that line of business.

The semi-annual payments of interest on the best terms the rate of exchange will allow, require attention, prudence and good judgment.

The present system of settling the affairs of our Banks has been in operation about six years, and has succeeded much better than any other that had been previously tried. This in itself is a potent reason against a change and in favor of the continuance of the system.

The Comptroller and Treasurer are confined to their offices by their appropriate and regular duties, and with their admitted faithfulness and competency could not discharge the various functions of the Commissioner and Trustee. I have, therefore, no hesitation in advising the continuance of this office as long as it promises to be beneficial to the State.

To prevent special applications to the legislature, the Commissioner and Trustee should be authorised, in his discretion, to extend from time to time, upon the payment of interest, any debt due the State Bank, or either of the Branches, when such an arrangement would be more beneficial to the State than the collection of the money.

The General Assembly, at its last session, and the people themselves seemed to be impressed with the belief, that the State was in a better condition as to the relative amounts of its liabilities and reaources than the facts justified.

I think the taxes collected the two last fiscal years fell below the demands upon the treasury and the Commissioner and Trustee. Our indebtedness upon bonds and stocks cannot be regarded an inconsiderable affair, when the interest and the current expenses of Government exceed the revenue collected by taxation, which under *ordinary circumstances* would be considered intolerably oppressive. The cause of felicitation will have a drawback, until our liabilities are so much reduced that the annual revenue, in addition to defraying the ordinary demands upon the treasury, will pay, not only the interest of our debt, but sink a considerable portion of the principal.

In my message to the last Legislature, I discussed, quite at large, the subject of Banks and a Paper Currency. The views then presented still have my approval, and, without indulging in repetition, I beg to refer to them.

The doubt I then expressed, whether the Free Bank System, as it is designated in New York and other States, could be relied on to furnish a currency with us, has settled into an opinion against the maintainance of the system to any great extent in this State. No one has availed himself of the privilege conferred by the act of the last session, "To authorize and regulate the business of Banking," nor am I advised that any one contemplates doing so.

Our banking capital is altogether insufficent to meet the demands of a healthful and regular business; and the banks now in existence are located in Mobile, where the accommodations they are prepared to afford, fall far short of the good paper that is offered. The merchants in the interior are compelled to borrow of individual capitalists, or foreign banks, on terms often inconvenient and oppressive; and of course look to their customers to reimburse the extraordinary interest and charges to which they are thus subjected.

It is not within the competency of the Legislature to supply at a single session the inconvenience of a deficient local currency—its powers being restricted by the Constitution to the establishment of a single bank. The inabilty to furnish a complete remedy for the evil is, however, no reason for the failure to act at all;

but should rather quicken our dilligence, so that what must be a gradual work, may be consummated as speedily as possible.

I therefore recommend to the Legislature, as a measure demanded by the interests of the people, to incorporate one stock bank, with a capital not exceeding a half million of dollars, subject to rules and restrictions similar to those contained in the act "To incorporate the Southern Bank of Alabama." The amount of the capital, of course, will be influenced by the point at which the bank is located, and the location will be induced by a consideration of the wants of the community, and the probable readiness to subscribe for the stock.

I am entirely satisfied that the State should disconnect itself with banks as soon as it can be done without loss, and with a proper regard to what is due to others; and therefore renew the recommendation to provide for the sale of the State stock in the Bank of Mobile on such terms as will discharge the bonds upon which the loan was effected to pay for it, and relieve the State from the demand of the Bank for interest paid on the bonds. In the meantime, it would be a matter of interest to be informed where and by whom these bonds are now holden.

The principles contained in the opinion of the Attorney General of the United States upon a partial restatement of the Two and Three per cent. funds accounts, between Alabama and the General Government, I think tend to establish that there is still an unjusted balance due this State. If this demand is disallowed, still there is a large sum due us as interest upon portions of these funds, which have been withheld from time to time in violation of law. Under this impression as to our rights, I re-appointed Jefferson F. Jackson, Esq., as the agent of the State, to present its claims to the proper Department of the Government at Washington.

By the report of Mr. Jackson, I am informed that the claim for interest on monies heretofore received upon a restatement of the Two and Three per cent. funds accounts, at his instance, as the State's agent, was presented to Congress in June, 1850, and is still pending before that body. The account of the State, amounting to about one hundred and fifty thousand dollars, for the five per centage on lands appropriated or disposed of by the General Government, was stated in the General Land Office, and presented to the Commissioner for allowance. That officer decided against the State; from this decision an appeal was taken to the Secretary of the Interior, which is still pending before the Department.

Mr. Jackson has enforced the claim of the State by a lucid and well sustained argument, which will hardly fail to convince, unless precedent shall be disregarded.

In connection with this subject, I would remark that I was authorized by Joint Resolutions of the last session to cause an account to be taken of the expenses incurred by Mr. Jackson in the prosecution of his agency under a previous appointment, and to cause all such expenses to be reimbursed to him; provided they did not exceed the sum of twenty-five hundred dollars. It was also made my duty to fix upon and cause to be paid such sums as might be justly due to Charles H. Stewart and Joseph Bryan, agents and attorneys employed by Mr. J. to aid him in the business of the agency.

In adjusting the expenses of Mr. Jackson, I consulted what seemed to be the views of the General Assembly so far as they were developed, and such other evidence appropriate to the subject as was accessible under the circumstances.

I requested the Hon. W. R. King, Hon. H W. Hilliard and Hon. S. W. Harris, to ascertain and inform me what would be a just and proper compensation for the services rendered by Messrs. Stewart and Bryan. These gentlemen promptly complied with my request, and a settlement was immediately made according to their report.

The Legislature in the maximum which it authorized to be allowed, seemed to have contemplated a large expense account, no doubt under the well founded impression that the case was an extraordinary one. Perhaps the allowance to Messrs. Stewart and Bryan may be regarded as disproportioned to the services they respectively rendered. If so, let it be remembered that it was fixed upon cautious inquiry by persons eminently qualified for the purpose, uninfluenced by any other feeling than a desire to do justice; that their compensation was contingent, depending upon the success of the State in the prosecution of a claim which was regarded as altogether doubtful; and that the aggregate sum paid for the entire service was less than the General Assembly seem to have contemplated. To this it may be added that the powers of Mr. Stewart as an accountant, his indomitable energy, and his intimate acquaintance with the law applicable to the subject, if they did not influence, certainly expedited the decision in our favor.

An act of the Legislature of March 3d, 1848, to provide for the collecting from the General Government money due this State for advances made for the public service in the war with Mexico, required the Governor to cause an account to be made out, and, with the papers and vouchers thereto appertaining, to be transmitted to one of our Senators or Representatives in Congress, for presentation and payment. The same act directed the Governor, in the event of non-payment, to appoint an agent to collect this claim, if he believed the public interest demanded it.

Under this authority, my predecessor appointed Col. Robert T. Scott, of Jackson county, the agent of the State, and proposed to allow him, as compensation, two and a half per cent. on the first five thousand dollars collected, and five per cent. on the remainder. Only thirty-eight hundred dollars has been collected, and the residue of the claim is now before Congress.

Col. S. has expended time and money not only in going to, sojourning at, and returning from, Washington, but in endeavoring, by personal interviews with the original claimants, to perfect the account, that it might be allowed by the proper officers of the Government; he, however, has been unable to remove the objections to it, and consequently has been compelled to present the subject to Congress for a special act authorizing the reimbursement of the State. In view of the facts stated, I would respectfully suggest that the compensation agreed to be paid to Col. S. should be increased upon the sum collected, and such as may be hereafter collected, so as to afford a just compensation for his services and expenditures.

An act of Congress of September 28th, 1850, professedly with the view of enabling the States in which the United States is the proprietor of the lands undisposed of, to construct the necessary levees and drains, to reclaim the swamp and oveflowed lands therein granted to these States the whole of those swamp and overflowed lands, unfit for cultivation, which were unappropriated at the passage of the act. It is made the duty of the Secretary of the Interior, as soon as it may be practicable, to make out an accurate list and plats of the lands of the character described, and transmit the same to the Governor, and, at the request of the Governor, to cause a patent to be issued to the State therefor; and on that patent the fee simple estate in the lands shall vest in the State, subject to the disposal of the Legislature: "*Provided, however*, that the proceeds of said lands, whether from sale, or by direct appropriation in kind, shall be applied exclusively, as far as necessary, to the purpose of reclaiming said lands by means of the levees and drains as aforesaid."

The act further provides "That in making out a list and plats of the land aforesaid, all legal subdivisions, the greater part of which is 'wet and unfit for cultivation,' shall be included in said lists and plats; but when the greater part of a subdivision is not of that character, the whole of it shall be excluded therefrom."

About twelve months since I received from the Commissioner of the General Land Office a copy of his instructions to the Land Officers of this State, as to the mode in which the swamp and overflowed lands were to be designated. These instructions, after referring to the act, say to these officers, "This act clearly and unequivocally grants to the several States those lands which, from being swampy or subject to overflow, are unfit for cultivation. In this class is included, also, all lands which, though dry part of the year, are subject to inundation at the planting, growing, or harvesting season, so as to destroy the crop, and therefore are unfit for cultivation, taking the average of the seasons for a reasonable number of years as the rule of determination. You will please make out a list of all the lands thus granted to the State, designating those that have been sold, or otherwise disposed of since the passage of the law and the price paid for them when purchased.

"The only reliable data in your possession from which these lists can be made out, are the field or descriptive notes of the surveys on file in your office; and if the authorities of the State are willing to adopt these as the basis of those lists, you will so regard them. If not, and those authorities furnish you satisfactory evidence that any lands are of the character embraced by the grant, you will so report thereon."

Accompanying a copy of the instructions, I received a letter from the Commissioner, in which he says to me, "You will perceive by these instructions the Land Officers are authorized to receive such reliable evidence of the character of any of these lands as may be presented by the authorities of the State; and as many of the lands were probably surveyed at dry seasons, and hence are not represented by the descriptive notes or plats, as being of that character, I have supposed that it may be a matter of sufficient importance to induce you to call upon the county surveyors, or other respectable persons of your State, for a statement, under oath, of the swamp or overflowed lands in their respective counties."

Immediately upon the receipt of the letter and copy of instructions, I determined to appoint some practical surveyor in each county, to ascertain the swamp and overflowed lands in conformity to the instructions, and took measures to carry out this purpose, but learning that there was a diversity of opinion as to the propriety of thus proceeding, I suspended further action.

I was induced to take the course indicated for the reason stated in the letter of the Commissioner; and for the additional reasons that some of the early surveyors of the lands in this State had been careless in running and marking their lines, and making their field or descriptive notes; and, because the lines of the legal subdivisions of sections had not been traced. In this condition of things, I could not see how it could be known whether the subdivisions of sections not bordering on the lines actually run, came within the class of lands granted by the act. I did not suppose that the agents of the State would survey with perfect exactness the lands which were swampy or overflowed, but believed they would be able to ascertain by passing over or around, and viewing them, whether the greater part of a subdivision was of that character. If the duties of the agents could be thus performed, one assistant of each, instead of the usual number of chain carriers, &c., would be quite sufficient. Hence I concluded that as localities, in which it was understood there were no such lands as the act referred to, embraced, an average of fifty days to each county, would enable each agent aided with the field or descriptive notes, to perform his duties. This would have created a charge upon the Treasury of about ten thousand dollars, which would have been reimbursed by the proceeds of the sales of the lands granted to the State; but whether this reasoning was well founded or not, is wholly immaterial, as in some counties no agents were appointed, and in all others their powers have been suspended without charge to the State.

Upon this subject I have to remark further, that some months since I addressed to the Commissioner of the General Land Office a letter, inquiring whether the field or descriptive notes indicated the character of the legal subdivisions of the lands in this State; and by what data in the Land Office the swamp and overflowed lands could be ascertained? *Further*, that as the act of 1850 took effect from its passage, the State was entitled to the proceeds of the lands granted by it that had been sold since that day, whether an act of Congress was necessary to authorise the payment of the money?

To the first branch of the first question, the Commissioner answered, "That the field and descriptive notes and plats on file in this office (and which are copies from those in the office of the Surveyor General of Alabama and the local land offices,) give the 'crossings' of the swamps on the section lines, and the quality of the lands, whether 'wet,' 'swamp,' or 'overflowed,' and sometimes state whether they are 'fit' or 'unfit for cultivation.' The plats do not show the limits of the swamp 'and wet lands' within the sections, except on some of the later returns, the topography of which is more complete." The Commissioner adds, that he supposes the lists will be made out by the Land Officers in Alabama under the instructions of November, 1850, as early as practicable, and that their action will be expedited by the concurrence of the State authorities. He also refers me to his legal opinion, which has been approved by the Secretary of the Interior, of which he transmitted me a copy. That opinion refers to "an act to aid the State of Louisiana in draining the swamp lands therein," approved March 2, 1849, which applies to that State alone, and accords to it an influence in the construction of the act of 1850, in which all the States that contain public lands belonging to the United States, are interested.

The terms of these enactments are essentially dissimilar, and upon no just principle of construction can the former control the latter.

It is also supposed that although the act of 1850, in express language, grants to the State all the lands of the class designated "which shall remain unsold at the passage" thereof, yet "those grants must be regarded as taking effect from the date when the selections are reported to the proper officers and approved, and not from the date of the laws." The opinion adds: "The act of 1849 states expressly, as you perceive by the words underscored, that *on the approval* of the Secretary, the fee simple shall vest in the State, and the act of 1850 makes the fee to vest in the State on the issuing of the patent. The earliest period, then, at which the grant can be considered as attaching to the lands, is that when the selections are made known as aforesaid and approved." With the most respectful deference, it seems to me that the words "at the passage of this act," are free from ambiguity; that their meaning is uncontrolled by any thing contained in the act of 1850; that the act of 1849 cannot restrict or change their meaning, and if it could, it does not do so; and in my judgment the conclusion that the act shall not take effect from the time designated by Congress, but from a day to be prescribed by the action of the officers of the Government, is utterly indefensible.

I have signified to the Secretary of the Interior my non-concurrence in the opinion, and respectfully requested that he would bring the subject to the attention of the Attorney General, to whom, if necessary, I will present my views.

According to the estimate of the Commissioner of the General Land Office, in his report of December, the quantity of swamp lands granted to this State by the act of 1850, is 436,450,000 acres.

It may not perhaps be imperative upon the State to appropriate the proceeds of these lands to the objects contemplated by the act, if it shall be apparent, as I incline to think, that such an expenditure will produce no beneficial results. But it would be altogether better to have the sanction of Congress to a diversion of the fund from the objects for which it was intended, either to internal improvements or educational purposes.

I submit the entire subject to the General Assembly for such legislation as the interest of the State requires.

The Judicial Department of the Government could be essentially improved by some changes in its organization. But the most important modifications required cannot be made without removing the constitutional restrictions upon the power of the legislature to remodel the system as circumstances may from time to time seem to demand. I therefore advise such an amendment of the Constitution as will authorise the legislature to re-arrange the Courts as expediency may dictate.

In respect to the Supreme Court, it has been suggested, as a measure of relief to the arduous labors of its Judges, that another Judge should be added to the Bench. It has also been supposed that it would be an improvement, and give to this Court a more commanding influence with the people, if instead of three Judges it had five, two of whom should perform annually the duties of Circuit Court Judges; and that it would be a convenience to the people, if the Court were holden at several other places besides the seat of Government. It is competent to add a Judge, but the last two changes are inhibited by the Constitution, and cannot be made without an amendment.

If it were a question at this time whether Courts of Chancery should be established with distinct Judges, my opinion would be decidedly against it. I would sooner advise the establishment of a Chancery Court at one point in each Circuit, to be holden by a Circuit Judge in the vacations, authorising the Clerks of the Circuit Court of the county which had jurisdiction over the defendant, or the subject matter, to take bonds, issue subpœnas and other process, that no inconvenience might result to suitors. But a Court of Chancery distinct from the jurisdiction of the law judges has been established, and I will not advise its abolishment at this time, conceding that it is within the competency of the legislature to do so—a power which lawyers of ability insist is impliedly taken away by the 8th section of the 5th article of the Constitution. This question, with others, had better be left open for consideration, when the constitutional amendment proposed shall be made.

I am, however, of opinion that two Chancellors are sufficient to dispose of the Chancery business of the State, if such changes in these Courts as I suggested in my message to the last session, are made.

The jurisprudence of Chancery is so intimately blended with the administration of justice in the law Courts, that it could not be suddenly dispensed with or commingled with the sterner and less accommodating principles of the common law, without introducing embarrassment and confusion, producing injustice and opening a new and unmeasured field of litigation. As it is beyond the ken of man to estimate all the consequences of such a radical change, prudence would dictate the propriety of advancing gradually in the work of reform. It is certainly desirable that much of the jurisdiction of Chancery should be transferred to the law forums as cheaper and more expeditious administrators of justice. But this transfer should not be completed by a single act or at a single session of the legislature. Time and experience must acquaint our judges and lawyers with the practical operation of these changes and suggest others; and the work of innovation must progress step by step. As the authority of the legislature over this important subject is so much restricted, I will not add more than refer you to my recommendations and suggestions to the General Assembly at its last session.

The duties devolved upon the Commissioners appointed to prepare a Code of Statute Law and the preparation of a Code of Practice will doubtless suggest a remedy for many imperfections which are found in our statutes, as well as supply to a great extent the defects of legislation.

The labors of the Board have been such that they have not been able to complete either of the codes and cause a copy to be submitted, so as to enable me to examine and report thereon, as required by the act under which they were appointed. Consequently I am not prepared to speak of the codes as entire works. I have, however, heard different portions of them read, and am persuaded that they introduce many valuable changes, which are demanded by public opinion, and that they indicate much thought and laborious research.

During the last year Col. John Erwin, one of the Commissioners elected by the General Assembly, resigned, and his place was supplied by the appointment of the Hon. A. P. Bagby.

I beg to invite your attention to the cause of education. This is always a subject of profound interest. It is intimately connected with human happiness, and is an indispensable auxiliary in the improvement and moral elevation of society.

The liberal educational fund of which some of the townships in this State are the proprietors, it must be admitted, has been of comparatively little benefit. This fund is owned principally by the wealthy townships, in which the most of its beneficiaries require no assistance from the public in the education of their children, while the poorer districts derive but little aid in this way.

It is much to be regretted that the terms in which the sixteenth section was offered by Congress and received by the Convention, vests an interest in the inhabitants of the townships severally, which prevents a consolidation of the aggregate fund; an interest that cannot be divested without the consent of the beneficiaries.

This question has been settled by the highest Court known to this State; and the acts which give the assent of Congress, at the instance of the new States, to the sale of the sixteenth sections, in providing for the appropriation of the proceeds to the townships in severalty, indicate that that body concurs in the correctness of the decision.

I have re-examined, with care, what I said on Education in my communication to the last session, and feel a strong conviction that if the recommendations I then made were carried out, the subject would receive a new impulse; and the benefits resulting would be seen and felt throughout the State. Primary School instruction cannot be dignified as a system, until it has a head to direct and supervise its operations. A superintendant, with an adequate salary, paid from the sixteenth section fund in proportion to the dividend received by each section, should be appointed by legislative authority. He should traverse the State, address the people, visit and examine schools, and inquire into the qualifications of teachers, as often as a proper attention to his other duties would permit.

Such an officer would not only exercise a healthful influence over the schools committed to his watch-care, but he would awaken the people to the importance of education—give an interest and impetus to the cause, not only in the lower but in the higher branches also. I am aware that men possessing all the qualifications for the station are rare, yet there are some, even in Alabama, who would reflect credit upon it.

The grade of scholarship of the township teachers should be prescribed—the powers and duties of the school trustees should be defined—they should report to a director of common schools in each county; and the latter should make a condensed report to the superintendent, who should make an annual report of the condition of the schools under his supervision.

That the sixteenth section fund may be productive of greater good than the present mode of distribution, it should be exclusively appropriated to the scholars of the schools established by the trustees of that fund.

We should certainly not despair of effecting anything, because our school fund is so unequally distributed as to bestow the larger portion of its benefits upon those who do not need it. The modifications suggested, it is admitted, would not make a system perfect in itself; and I am prepared to give up the changes proposed whenever a better system is suggested.

The want of authority to consolidate the fund is an inherent and ineradicable obstacle to a perfect system, which we have seen can only be removed by the consent of those interested—a result not to be expected.

Caution is the dictate of prudence, and should be observed in all legislative changes, more especially where the measure proposed is of doubtful policy. In general, it may be wise to "Let well enough alone;" but this considerate maxim can have no application to the subject before us.

Our University should be an object of State pride and receive a just share of legislative attention. I can with confidence express the opinion that the State has been exceedingly fortunate in the selection of the Faculty by the Trustees; and that quite as thorough an education can be obtained in our own State as in any other institution North or South. The University never was in a condition so prosperous as at the present time. This is conclusively indicated, not so much by the number of students, (which is often a very deceptive test,) as by the amount of labor performed by the students, the grade of scholarship and the propriety of their deportment. With many it has been regarded an institution in which the people have no interest; that its benefits have been restricted to the wealthier portion of the community. I have heretofore taken occasion to repel this assumption, and said that our University offers an education "alike to the rich and the poor, at a price far below cost, and at least one student in each county is entitled to it without charge. Education of a high order is an acquisition more important to the poor than the rich. The latter derive consideration and consequence in society from wealth; but the superior mental endowments of the former would neutralise its power and to a great extent paralyse its capacity to injuriously affect the public." But I could present a more potent, and in fact a visible and irrefutable argument, if it would not be invidious and unpleasant to modest merit, to mention the names of gentlemen who, without means, prompted by a desire of knowledge and sustained by indomitable energy, have passed through our University with distinction, and are now reflecting upon society their attainments, as ministers of righteousness, as teachers, or in some other situation beneficial to the country and themselves.

On the occasion referred to, I also considered the close connection and mutual dependence of the higher and lower schools upon each other, and quoted the opinion of one whose life was devoted to the pursuit of truth and knowledge, to sustain my conclusion. That individual said that Colleges and professional schools " are supposed by many with us to be altogether useless, nay dangerous to the country, and it is thought that all public patronage should be transferred from them to the common schools for the people at large, as though the common schools could exist without the higher institutions; or as though the latter and the former had no mutual alliance and reciprocal influence upon each other." The fact is, as I believe, if the higher schools should be annihilated now, the healthy action of the lower schools would naturally and necessarily reproduce them, or in default of this, the lower schools would dwindle, become sickly and die. And on the other hand, if all the subordinate and elementary schools should be anihilated at a stroke, the higher institutions would produce them again as naturally and as certainly as the young shoot springs from the seed or the root of the mature plant." The truth of these remarks has been exemplified in our midst. Our primary and preparatory schools have steadily advanced, as indicated by the grade of scholarship of the applicants for admission to the University; and the University has added and will continue to add to the corps of instructors, teachers suited to the wants of the people, as well as stimulate to increased faithfulness and effort, those who may come from abroad and engage in that honorable vocation.

The course of collegiate instruction is quite as extensive as can be completed within the time allotted to it. It would, however, be very desirable to have an Assistant Professor added to the chair of Geology and Agricultural Chemistry, whose time should be mainly employed in analysing soils and vegetable productions. But the income of the University fund, reduced, perhaps, by mismanagement and inconsiderate legislation many years since, disables the Trustees to make this addition to the Faculty, which would impart increased interest to agriculture, by connecting science more intimately with its practical operations. The Trustees of the University contemplate some changes, so as to extend its usefulness and the better to adapt it to the demands of the people. In carrying out these changes, they believe it important that they should be invested with a title to the State House in Tuscaloosa and so much of the furniture as has not been removed. The location of the house, its size, &c., make it unsuitable for any other purpose than one similar to that to which the Trustees of the University propose to devote it. The furniture being purchased many years ago to fit up the house for the use of the Legislature and Supreme Court, is unsuited to a private residence. It may be fairly assumed that the house and furniture would command a sum in market far below the cost of the materials of which they are constructed. I believe the Trustees could make them profitable to the public in extending the operations of the University; and I therefore, in advance of the annual report of the board, recommend that their request in this regard be granted.

It is believed by the Trustees, that the yearly income of the board does not justify a further expenditure to continue the geological explorations of Professor Toumey. The reports of this gentleman have greatly enlightened us as to the extent of our mineral resources, and have shown that our minerals are not only abundant, but are rich and various, and in a condition to be made available. He has done much to give character to the State, and I should regard it a public misfortune, if his labors were suspended for the want of means to prosecute them. To prevent such a result, I respectfully advise the appropriation of a sum not exceeding one thousand dollars, to be drawn from time to time, as may be deemed proper, by order of the Governor or some other officer.

In connection with this subject I would remark, that Alabama contains 32,462,080 acres of land, of which, according to the report of the Commissioner of the General Land Office, 16,164,518 26-100 acres remained the property of the Government, on the 30th June, 1850. The public lands contain, it is supposed, as much as seven-eights of the mineral wealth of the State; and consequently the Government is very largely interested in a geological survey. The result would doubtless cause a large quantity of its lands to be purchased, the sterility of whose surface indicates their unfitness for agricultural purposes; and in this way the General Government would receive an equivalent for any aid it might render in promoting the enterprise. Influenced by these considerations, I suggest the propriety of addressing a memorial to Congress, praying the grant of twenty-five thousand acres of public land to this State, to be selected in quantities according to the legal subdivisions, the proceeds of which shall be appropriated to a thorough geological survey. To induce a compliance, we might stipulate that the work should be commenced and completed within some reasonable time.

The General Government has caused such surveys to be made to some extent in some of the newest States in the South-west: and an application for that purpose from this State, addresses itself with great force to Congress. Here, we have not only paid many millions of dollars into the Treasury for land, but the Government, by its proprietorship of such a large proportion of lands within our limits, has retarded the improvement of the State, and made it necessary to impose heavier burthens in the form of taxes upon the individual land-holders.

It is certainly a duty of very high obligation to provide an asylum for the Insane, where that attention and remedial treatment can be furnished, which is necessary to render them as comfortable as their condition will admit; and, if practicable, again place them under the dominion of reason. This duty is coeval with the existence of the State, and is quite as binding in morals as the obligation to pay a debt for which a tangible equivalent has been received. Political communities, like individuals, have moral duties to perform, and if the aggregate body are inattentive to them, the responsibility consequent upon neglect, attaches to those who have opposed a performance. This is a truism in morals, which it would be well for every citizen to remember.

It is supposed, by high authority, that there are not less than even hundred idiots, epileptics, and insane persons in Alabama, he only probable means of relieving whom, is found in the curative treatment of a Hospital. Much the greater number of these are members of families of means too limited to obtain for them the comforts necessary to their bodies in their deplorable condition, without being able to do anything for the lost or unsettled mind. If we require an additional cause to excite our sympathies, we have but to remember the cases that have come under our own observation, and reflect that in our own households we may be called to witness a similar visitation.

Much the greater number of the States have established hospitals for the Insane, and it becomes us to act with promptness, unless we are insensible to a generous rivalry in the great moral enterprises of the day.

I will not continue the discussion of this question, in which I am sure we all agree in the abstract. But I beg to invite your respectful and considerate attention to the memorial of Miss D. L. Dix, to the last General Assembly. It is a paper fraught with instruction upon this interesting subject; and the production of a highly gifted lady, whose name is the synonym for benevolence and philanthropy. and whose life exemplifies the graces that give dignity and elevation to humanity.

It is a kindred duty imperative upon us, to make provision for the education of the blind, and the deaf and dumb. The deprivation of the organ of vision. either by natural or accidental causes. utterly incapacitates persons thus unfortunate, for taking care of themselves. While uneducated they are not only unfitted to provide for their wants, but cannot participate, to any great extent, in the rational pleasures of life, and can contribute but little to the social enjoyment of others.

The recent and progressive improvements in the education of this class have done much. with the promise of more, to relieve them, and remove the disparity between those thus afflicted and persons whose senses are unimpaired. The minds of the blind seem to possess greater susceptibility to the acquisition of knowledge. Their powers of perception, memory and concentration are generally quick, impressible and active in a degree surpassing those from whom the visible objects of nature or art are not excluded. In fact, they not only become educated so that they may give employment to the mind, and thus beguile the tedium of time, but they become successful teachers of the blind and acquire a knowledge of many handicraft pursuits at which they can earn an ample livelihood.

The deaf and dumb cannot be educated by the ordinary modes of instruction. Being denied the sense of hearing, they cannot understand what is communicated to them orally. They must first be taught by signs, and thus they easily and rapidly acquire a knowledge which fits them for any business in which the power of speech is not indispensable.

These unfortunate persons are generally poor, without friends to assist them ; so that in providing for their instruction, we are emphatically contributing to the comfort and happiness of the poor. In respect to these enterprises of benevolence and duty which I have suggested, the time has arrived when the initiative step should be taken. I refer them to the respectful and patient consideration of the General Assembly.

It is provided by an act of the legislature, passed as early as 1807, that each county should cause to be erected at its own expense, "a good and sufficient court-house for the legal adjudication of causes, and a strong and sufficient jail or prison, for the reception or confinement of debtors and criminals, well secured by timber, iron grates, bolts and locks. And every jail so to be erected shall consist of three apartments at least, one of which shall be appropriated to the reception of debtors." The court house and jail are required to be built under the direction of the judge of the county court ; and for the greater forwarding the business, the judge is authorised to draw out of the hands of the treasurer of the county any sums of money which he may have received, belonging to the county not otherwise appropriated. "But in every county a jail shall first be erected ; and the treasurer and judge are to govern themselves accordingly."

It is also declared to be the duty of the judges of the county court to inquire into the sufficiency and cleanliness of jails in their respective counties ; the condition and accommodation of the prisoners ; to keep separate rooms for the sexes, &c.

These provisions indicate an acquaintance with the subject, and a becoming solicitude to adopt the appropriate regulations. They are, however, merely directory and inefficient, because their observance is not enforced by any sanction or penalty.

It is certainly proper that the court house of each county should be respectable in appearance and comfortable. This, however, is a matter of taste and convenience, and the want of such a house will not be apt materially to affect the administration of justice. But the want of a secure and suitable jail is a matter of greater moment. It is necessary for the safe keeping of persons charged with offences not bailable, or who are unable to give bail ; for the imprisonment of offenders after judgment, as well as for the safe-keeping of runaway slaves. Imprisonment for debt may be regarded as practically abolished by the act which prohibits the arrest of the body to answer for a civil demand, except in cases of fraud ; and it is therefore unnecessary to appropriate an apartment "to the reception of debtors." Each jail should, however, have at least four comfortable apartments; one for persons charged with the commission of a criminal offence, another for persons who are imprisoned under a judgment consequent upon conviction, a third for females, and a fourth for runaway slaves. As all of these would not probably be occupied at the same time, one or more might be occasionally used as a hospital for the sick. The judge of the court of probate and the commissioners of revenue and roads in each county should be invested with authority to levy a sufficient tax to build and repair the jail in their respective counties. It should be made the duty of the grand jury, at every term of the circuit court, to examine and report to the court the condition of the jail of the county, as well as the prisoners; whether the sheriff or jailer have been derelict in the performance of their duties, in cleansing the jail, providing for the prisoners; and whether the jail is such as the law requires. For neglect in either of these particulars, the law should impose a penalty upon the person or persons in default, which should be enforced by a proceeding instituted by the solicitor or other presecuting officer on the report of the grand jury.

The report of the Inspectors of the Penitentiary will doubtless impart all the information it is desirable you should possess in respect to that institution. My intercourse with the Inspectors enables me to bear testimony to their conscientious and faithful discharge of duty, and the lessee, I am sure, has treated the convicts with commendable kindness and forbearance.

The term for which the Penitentiary has been leased will expire in May, 1852, and the Inspectors, or other competent persons, should be invested with power to settle the accounts between the State and the lessee. All necessary improvements made by the lessee, beneficial to the State, whether approved by the inspectors for the time being or not, should be paid for on such settlement. To authorise an allowance to the lessee in such cases, perhaps requires some additional legislation.

You will of course consider the propriety of again leasing the Penitentiary. If it is placed under the management of a Warden and subordinate officers, a considerable appropriation of money will be necessary for the purchase of stock, &c. In the event of such a change, a portion of the labor of the convicts could be advantageously employed in the manufacture of cotton and wool, as there is in the yard a large and substantial house, with an engine of ample power, well suited to these branches of industry. But here again an appropriation would be necessary for the purchase of machinery; and however the labor of the convicts might be directed under the immediate supervision of a Warden, unless he possessed all the qualifications of a manager, with unyielding integrity, the establishment would require contant aid from the Treasury for its support. As a measure of policy, the transfer of the Penitentiary with the labor of the convicts to a lessee for a definite time, is hardly defensible in the abstract. Yet, if the State retain such a control over the lessee as will authorise the abrogation of his lease for breaches of duty, and subject him to a criminal prosecution for improper treatment of the convicts, it would perhaps be a lesser evil thus to dispose of the establishment than to return to the old mode of conducting its operations. Certainly the evil would be less, unless the General Assembly should be fortunate in the selection of a Warden, and are prepared to make liberal appropriations. If such a selection were made, the profits would reimburse the appropriations. I incline to think it would be an improvement upon the present law, if the lessee were to stipulate the payment of a certain portion of the profits, and the Inspectors were invested, as the representatives of the State, with some control over the expenditures.

The room that has heretofore been used as a hospital is both small and uncomfortable, and consequently unsuited to the establishment. Within the present year, the lessee, with the approbation of the Inspectors, has erected a building to be hereafter used as a hospital, which is well adapted to that purpose.

It is certainly a leading object of the Penitentiary mode of punishment to reform the offender, and to that end the proper facilities should be furnished the convicts. Instead of an occasional sermon, a regular chaplain should be provided, who should establish a Sunday School, and preach at least two sermons on Sabbath. Such an arrangement would be a great relief to the convicts, who are confined in their cells on that day, except when they are permitted to come out and take their meals, and I can conceive of no change connected with the police of the Penitentiary, which would tend so much to their reformation. The chaplain would, doubtless, in addition to his regular services, visit the hospital and converse with the convicts during the week; and by the influence thus exerted would be an efficient auxiliary in causing an observance of the rules of the establishment. As his clerical and pastoral duties would require his entire time, he should receive a just and reasonable compensation, payable quarterly.

There is a small but well selected library of religious works within the establishment, the most of which have been contributed by benevolent individuals. Many of the convicts are fond of reading, and are desirous that their library should receive occasional additions. If it contained a greater variety of books, the inducement of the convicts to acquire knowledge would doubtless be stimulated. I therefore recommend the appropriation of one hundred dollars annually, to be expended under the direction of the Governor and Inspectors, in the purchase of books for the library of the Penitentiary.

I would further suggest that the Physician should be appointed by the Inspectors, with the advice and consent of the Governor, The present mode of appointment makes him too dependent upon the lessee, to whom he is indebted for his position. In point of fact I am quite sure the lessee never has attempted an unbecoming exercise of his power; and I am equally certain that the Physician has discharged his duties conscientiously.

In consequence of the defectiveness of human laws and human reason, and the uncertainty of testimony by which truth is ascertained, it sometimes happens that the innocent are found guilty, or that the punishment adjudged is disproportioned to the offence. And in the cases of some of the convicts in the Penitentiary, it becomes necessary, as a means of preserving their lives against the effects of a wasting chronic disease, or a reward for good conduct, to shorten the period of imprisonment In such cases, and perhaps others I have followed the dictate of my best judgment by exercising the pardoning power, under the firm convictio that it was quite as much the duty of the Governor to interpos his clemency in a proper case, as to see that the laws are faithfully executed. My experience upon the bench convinces me that it will not do for the Executive to make the verdict and judgment a bar to his action. These certainly constitute a strong presumption against the applicant for a pardon, and cast on him the burthen of showing his application is well founded, but nothing more. The Executive must act under his personal and official responsibility, without permitting himself to be influenced by the consideration that he may seem to manifest an excess of either sterness or leniency.

You are aware that the State Library sustained serious losses by the burning of the Capitol in December, 1849. I have the pleasure to inform you that these losses will, no doubt, be repaired to some extent by duplicates of such books as have been published under the authority of Congress, and of which there are an excess of copies belonging to the General Government.

It is very desirable that this Library should be greatly increased, not by an appropriation of money at present, but by an exchange of such books of which we have more copies than are necessary for the public demand. The powers of the Secretary of State in respect to this subject, under the act of February, 1846, are restricted; and if the General Assembly concurs with me, it would be well to enlarge them.

I would also suggest the propriety of requiring a catalogue of the books received from the other States, and now in the Library, to be made up, and each State informed what books we have received from it, that it may, if convenient, supply any deficiency.

A history of Alabama has recently been published by one of her citizens, Col. A J. Pickett, who has employed much time, trouble and expense in the collection of facts, so as to make it a truthful narrative. The book is regarded as highly creditable to the author and the State; and I respectfully suggest that a copy be presented to the Library of the Smithsonian Institute, to the Congressional Library, and to the Supreme Court Library at Washington, and to each of the United States and Territories of the Union, and that an appropriation be made to purchase them.

The fifth chapter of the Military Code requires an annual return to be made of the strength and condition of the militia of this State to the Executive office; but the only consequence of neglect on the part of the officers on whom this duty is devolved, is a trial by a court martial which may result in the loss of an office neither profitable nor very desirable. The expenses of a court martial have hitherto prevented a resort to it, and the character of the penalty, with the remote probability of its infliction, have been insufficient to induce a performance of duty. Would it not be better to impose a pecuniary penalty upon the officers required to make returns, according to their respective ranks, and require the Secretary of State to inform the Solicitor, or other prosecuting officer of the several circuits, of every neglect to make a return to the Executive office, that proceedings may be instituted by notice and motion for the recovery of the appropriate penalty?

Previous to 1850, the returns of the militia show our strength to be something less than forty-five thousand. During the last year, the Adjutant General, after collating such materials as were accessible to him, was able to make an abstract indicating the strength of the militia to be about fifty-seven thousand.

One copy of this abstract was transmitted to the proper department at Washington previous to the annual distribution of the public arms in that year, under the act of Congress of 1808, and is the basis upon which the quota of arms aforesaid to the State was calulated. His return for this year shows the strength to be 58,007. There can be but little doubt but our militia numbers seventy-five or eighty thousand, and our deficient returns are still a loss to us annually of about fifteen hundred dollars in public arms.

During last year, the "Central Masonic Institute," at Selma, received a part of the State's quota of arms, under the direction of a joint resolution of the legislature of January, 1850. But the muskets forwarded to the Institute were unsuitable for Cadets and did not conform to the order given. The predecessor of Col, Craig, the present head of the Ordinance Department, agreed to receive the muskets again at the United States Arsenal at Mount Vernon, where the Institute has undertaken to return them. I have ordered the same number of cadet muskets, which I am assured will soon be forwarded. When they arrive, the exchange will be effected.

Since the last session of the General Assembly, repeated applications have been made to me for rifles, cavalry arms and cadet muskets, under the erroneous impression that I was authorised to order their delivery upon the execution of a bond with surety.

There was a deficiency of arms in the arsenal of the proper description to supply the companies for whom the last legislature made provision, and I have consequently ordered cavalry arms, (companies of that description being provided for,) invoices of which have been received, and their arrival at the arsenal may soon be expected.

Considering the number of applications that have been made to the Executive, by schools and volunteer militia companies, for the public arms, within the last two years, it would be very well to inquire whether the present law on the subject of their distribution requires modification.

The introduction of military exercises into schools would certainly attract by its novelty; and if the interest could be kept up, (a point on which I am not sufficiently informed to have an opinion,) it would assist the cause of education. Regular instruction in military tactics and exercises is apt to impress the cadets with a dignified bearing, with a becoming self-respect and a proper appreciation of the feelings of others. I do not object to any reasonable disposition that may be thought best; but I would suggest the propriety of requiring a renewal of the bonds executed for the safe-keeping and return of the public arms once in five years, and oftener, upon the requisition of the Governor, if a return is ever contemplated.

I would also suggest that the bonds of longer standing than five years, should be renewed, or the sufficiency of the sureties, and their continued residence within the State, re-certified; and in the event of a non-compliance, a return of the arms should be required, and the bond put in suit if they are not delivered.

It has been supposed by some persons that it would be most proper to permit a portion of the public arms to remain in the arsenal, and the remainder to be distributed to Montgomery, Mobile and Huntsville, the municipal authorities of these corporations stipulating for their safe-keeping, and re-delivery to the order of the Governor or the Legislature. I throw out these views rather as suggestions for consideration than positive recommendations.

The improvement of the navigation of our rivers, and the construction of rail roads, plank roads and other facilities for travel and transportation, demand a large share of your deliberations. Our people have discovered that such enterprises are intimately connected with the prosperity of the State, and are awaking to their importance Within the last two years our lines of rail roads have been greatly extended, plank roads have been projected, and several are now being rapidly constructed. What the same period in the future may bring forth, it is difficult to predict. It is not, however, too much to assume that before the close of 1853, the Mobile and Ohio Rail Road will be completed to a point within the State of Mississippi; that the Alabama and Tennessee River Rail Road will be in readiness for the locomotive to quite as great an extent. seems equally certain; that Girard and Opelika, or some other point south of Montgomery. will most probably be connected by rail road. can hardly be doubted; and that arrangements will be matured to place beyond contingency a similar imprevement from Montgomery to Stockton, is altogether probable.

North Alabama will not be inactive. Before the expiration of the period mentioned. the north-east corner of the State will be traversed about twenty-five miles by a road leading from the seaboard of Georgia and Carolina to Nashville, with lines extending and diverging. The Tuscumbia and Decatur Rail Road will be renovated, and the Memphis and Charleston Rail Road Company will enter upon its construction with a spirit and energy indicating its completion as speedily as so great an undertaking will conveniently permit.

Our rivers should be surveyed by a competent Engineer, who should make a minute report of their condition, showing what are the obstructions to their navigation by small steamers. even at the lowest stage of water; and whether the obstructions can be removed, and at what cost. We are admonished by the experience of the past, to make no absolute appropriation of money in such cases, where we are not thus assured that the improvement is practicable and desirable, and can be completed at the estimate; and certainly there should be no expenditure which is not under the immediate direction of an Engineer appointed by and responsible to the State.

In the autumn of 1850, Professor Toumey, the State Geologist, in the performance of his public duties, made an examination of the Black Warrior from Tuscaloosa to Demopolis, at a very low stage of water. He reported that the only hindrance to its navigation by a small class of steamers at that time, was logs that had been floated and left in the channel during freshets, and an occasional reclining tree where the current passed near the bank. The removal of these obstructions, it is believed, would not cost above ten thousand dollars. No examination has been made of the Tombeckbee above Demopolis.

Professor Toumey has made a recent examination of the Coosa from Wetumpka to its junction with the Tallapoosa, and of the Alabama from that point to Montgomery His report will show that there are two very unimportant obstructions between Wetumpka and Montgomery, which it is only astonishing have not been removed long since. The material hindrances to uninterrupted intercourse between the former city and Mobile, will be found below Montgomery.

No surveys have been made of the Tennessee, Alabama, Tombeckbee or smaller streams, though it is very desirable that we should possess the information which a minute examination would doubtless impart.

The part of Alabama using the upper Tombeckbee and Black Warrior for their channels of communication with the Gulf, have suffered much greater inconvenience, and, indeed, losses, than the Eastern portion of the State. On these rivers the passage of steamers of ordinary size is usually suspended from the first of June to the first of January: consequently the cotton carried down them does not begin to find its way to market until the last mentioned day; and does not all get down for some months afterwards, owing to the want of transportation to carry it immediately. Nor is this the only inconvenience: the supplies of provisions become so short that those who do not procure them in the spring are often forced to purchase in the interior at most exorbitant prices.

To remedy this inconvenient state of things, and to cause surveys to be made, I advise the appointment of an engineer of suitable qualifications, with an annual salary, payable from the three per cent. fund, who shall devote his entire time to the examination of our rivers; commencing his work where the improvement is most needed. That there may be no delay, where the engineer reports the removal of obstructions practicable and not likely to return, at a small cost, a contingent appropriation might be made from the three per cent. fund, for some of the objects referred to. Of course the appropriation would all be applied and expended under the direction of the engineer.

Although these appropriations should be made from the three per cent. fund, yet if that fund is not in a condition to pay them, in consequence of appropriations to other objects, could there be any risk in making the advance from the State Treasury, and reimbursing it when that fund is realised?

By an act of Congress of September 20, 1850, "granting the right of way, and making a grant of land in the States of Illinois, Mississippi and Alabama, in aid of the construction of a Rail Road from Chicago to Mobile," a large quantity of public land was granted to this State for the construction of the Mobile and Ohio Rail Road. This act contemplates the probability that a portion of the lands purporting to be granted may have been sold, or that the right of pre-emption had attached to it, and authorises the Governor to appoint an agent to select other lands in lieu of those thus situated. The act further provides that the lands thus granted shall be subject to the disposal of the legislature for the purposes expressed in it.

In compliance with the directions of the act, I appointed Marshall J. D. Baldwyn, the agent of the State, to select the lands as provided. Mr Baldwyn has made the selections and his report has been received. He will doubtless so complete the duties of his agency that the title to the lands designated, will pass from the United States to the grantee.

The length of the Mobile and Ohio Rail Road located within this State is sixty-six miles and twenty feet, and the quantity of lands granted by the act to aid its construction, is three hundred and ninety-six sections and fourteen and a half acres. I submit the subject to the General Assembly for the appropriate legislation.

I renew the recommendation to address a memorial to Congress, asking a grant of a portion of the public lands contiguous to the Alabama and Tennessee River Rail Road, to aid in its construction. A similar request should be made in favor of the Memphis and Charleston Rail Road, if there be public lands near its line; and also in favor of a road from Girard to Opelika, or to some point south of Montgomery, and from Montgomery to Stockton, should it be determined to construct these roads.

It is very desirable that Montgomery and West Alabama should be connected by a plank road passing through Shelby and Bibb counties, by way of Tuscaloosa and Carrollton, in a direction to the Mobile and Ohio Rail Road, and that similar improvements should be made from Guntersville, and from a point east of Greensport, on the Alabama and Tennessee Rail Road, by way of Elyton, to the West. Should either of these enterprises be earnestly projected, I think they should be assisted by a grant of lands by Congress.

The public lands contiguous to all these roads are generally unsuited to agricultural purposes, and are not likely to be purchased for many years, unless the country should be improved by the construction of these means of intercommunication. In the speedy sale which the General Government would find for the lands retained, it would derive an ample equivalent for the grant.

The experience of Alabama and her failures in works of internal improvement would enable her to make a judicious disposition of these lands. The improvements, in their effect upon the prosperity and wealth of the State, would add greatly to the taxable property, and thus enable us to reduce the heavy taxes with which we are necessarily burdened. Nor is this all. By facilitating the intercourse between the different sections of the confederacy, we might, perhaps, restore the fraternal feelings which have been greatly interrupted, and strengthen the weakened bonds of union.

I do not feel authorised to advise the General Assembly to make any appropriation, either directly or indirectly, beyond the amount of the Two and Three Per Cent. Funds, which have been or may hereafter be realised. Our people, influenced by a just sense of patriotic and moral duty, have cheerfully submitted to a heavy tax, under the confident expectation that the public debt was to be paid as soon as a proper regard to other interests permitted; and I should be unwilling to see their patriotism put to a severer test.

We have seen and felt the injurious consequences of having a privileged land-holder, whose domain embraces, even at this time, nearly half the area in our State. It is desirable in every point of view that the tile of the General Government to territory within our limits should be extinguished— that it should pass into other hands and be subject to State charges. I therefore advise the adoption of a memorial to Congress, praying a graduation of the price of public lands on a scale something like the following: Lands subject to entry for ten, fifteen, twenty and twenty-five years, be reduced; the first to one dollar per acre; the second to seventy-five cents; the third to sixty cents; and the fourth to fifty cents. This reduction would greatly increase for years the revenue of the Government from lands; would cause much of our poor lands to be brought into cultivation, which, under a proper system of tillage, are susceptible of a high state of improvement, and would hasten the disconnection of the United States with our land titles.

If the title of the General Government to these lands were extinguished, and they were subjected to taxation, we could collect, by a direct tax, a fund for common Schools—for a Hospital for the insane—for the education of the blind and deaf and dumb. But restricted as we are as to the sources of revenue, by the proprietorship of this great land-holder, have we not a claim upon the General Government, founded in moral justice, to aid us? In my judgment, we should ask of Congress liberal grants of the public lands to aid these interesting objects of State regard.

The act of December, 1823, to establish the Bank of the State of Alabama provides, that the money accruing to this State by the Three Per Cent. Fund on lands sold and to be sold by the United States, shall constitute a part of the capital of that Bank. This diversion of the fund from the purposes contemplated by the compact between the United States and this State, resulted in the loss of a portion of it; and I suggest whether, if the State is not bound to repair the loss, it should not return to the fund so much of the investment in the Bank as was saved from the wreck.

With a view to encourage investments in projects of internal improvement, a tax should not be imposed on the sums actually invested, but on the profits realized.

In March last, I was informed by two physicians resident in Barbour county, that the small-pox had been introduced into that county, and requested to take means "to prevent a communication of the infection, and for the aid and comfort of the sick." I immediately authorised and requested Jefferson Buford, Esq., and other prudent and responsible individuals, living near the seat of the disease, to endeavor to arrest its progress by vaccination, and to provide for the comfort of the sick, &c. I have received no report from these gentlemen of expenditures, which the persons for whom they made provision have not reimbursed.

Since the last session of the Legislature, the Surveyor of the Public Lands in this State, in obedience to instructions from the proper Department at Washington, has transferred to the State the books, maps, &c., pertaining to the survey of these lands; and according to the directions of a Joint Resolution of January, 1850, they have been deposited in the office of the Secretary of State.

An enumeration of the inhabitants of the several counties of this State has been taken, as directed by the act of January, 1850, and it will be your duty to apportion the Senators and Representatives, as provided by the constitution, and to re-arrange the Congressional Districts, should you deem it proper.

By an act of February 4, 1850, I was requested to procure "the balances intended for the adjustment of standard weights and measures," heretofore appropriated to this State by the General Government. Shortly after the passage of that act, I opened a correspondence with the Superintendent of the office of Weights and Measures, who gave special directions in respect to the house necessary to receive and preserve the balances, undertaking to send them with an individual who would put them up and adjust them. Knowing that there was no suitable building for their reception at the University, I brought the subject to the attention of the Trustees, at their meeting in July, 1850, who declined to make any appropriation for a house; but the Faculty declared their willingness to keep the balances in good order, if they were placed in a suitable house under their care. It is proposed to deliver and put up the balances without charge; under such circumstances, we should not refuse to receive them. We have the authority of the Superintendent, that they can only be preserved and retain their exactness by the watchful care of some one possessing qualifications, such as may be found at our University; and then only in a house of peculiar construction. The house is by no means costly, and I therefore advise the appropriation of a sum adequate to its erection.

The duties devolved upon me in respect to the report of the State Geologist have all been performed.

Under the act of the last session "To provide for the selection of School lands in lieu of Sixteenth Sections in the Chickasaw purchase," I appointed, in February, 1850, Samuel Corsbie, a member from Franklin county in the last Legislature, agent of the State, to select the lands to which that act and several previous acts on the same subject refer.

Mr. C. made his return to the Executive office during my absence from the seat of government, and reported selections in the Land District of Nachitoches in the State of Louisiana. This report, and also an account of seventy five days' services in the performance of the duties of his agency, were verified by Mr. C.; and by my advice two hundred and twenty-five dollars were paid to him.

Very soon after the return was made, I gave notice to the Register of the Land Office at Natchitoches of the selections, and also requested the Commissioner of the General Land Office to direct a withdrawal of the lands from sale. The latter complied with my request, and the former acknowledged the receipt of my letter, stating that parts of the selected lands had been sold more than ten years before the selections.

I also sent blank commissions to Marion and Franklin counties, and requested the insertion of the names of competent persons in each of the townships interested, to hold an election upon the acceptance or rejection of the lands selected for them respectively. In Marion the commissions were completed, and in two of the townships the selections were accepted as to so much of the lands as had not been previously sold. Of the selections for one township, eighty, and for the other, one hundred and twenty acres had been sold.

I have written to Mr. Corsbie, informing him of the errors of his report, and inquiring if he would complete the selections; but have received no answer. I have also written to several persons in Franklin, requesting them to learn Mr. C.'s intentions, and inform me; but these letters are also unanswered. If the duties of the agency are not performed, steps will be taken to recover the money paid, unless it shall be ascertained that a judgment will be unavailing.

In the meantime, I would suggest the propriety of asking Congress to extend the time of making the selections; and so modify the existing laws upon the subject as to permit the selections to be made by the commissioners of the respective townships, or an agent of the State, without requiring the vote of the inhabitants of the townships upon the question of acceptance.

The commissioners appointed by the last legislature to contract for the rebuilding of the State House, will submit their report to you at an early day. In the meantime, I would suggest the propriety of causing the house to be insured as soon as may be.

It was shown to me by satisfactory evidence, that more than one-fifth of the first section of the Alabama and Tennessee River Rail Road had been graded, and I therefore directed the proper proportion of the Two and Three per Cent. Funds, appropriated to that section by the act of February, 1850, to be paid to the company, and have received the certificate of stock therefor, which I have caused to be deposited with the Comptroller of Public Accounts.

In obedience to the instructions of the legislature, I caused neat marble obelisks, with inscriptions deemed appropriate, to be placed over the graves of Philip S. Glover and Woodson Northcut, late members of the House of Representatives.

I have also to remark, that, as instructed by a Joint Resolution of December 4, 1849, I procured a block of Alabama marble, of the dimensions required by the Washington National Monument Committee. This block is white statuary marble, unblemished with a single spot, like the character of the great man whose virtues it is to assist in commemorating. It is believed to be unsurpassed by any contribution to the magnificent structure in which it is placed; though it is said that finer specimens of pure white have since been discovered, in a locality not remote from the quarry from which the block was taken.

Under the impression that if there was one political sentiment in which the people of Alabama concurred, it was this: That the States entered into the Confederacy as equals; that the Constitution guaranteed to them an equality of rights; and that a "Constitutional Union" should be maintaided, I caused the block to be thus inscribed, with raised letters, "Alabama—A Union of Equality, as adjusted by the Constitution."

The lands, for the sale of which the act of February, 1850, "To locate lands for valueless Sixteenth Sections," provided, have all been selected and sold, as you will be more specially informed by the Comptroller. I respectfully suggest whether some legislation is not necessary to prescribe what townships should be the beneficiaries of the fund realised from the sale of these lands, and the scale of its distribution.

There were other duties devolved upon me by the legislature, either singly or in conjunction with the Comptroller, Treasurer, or Trustee and Commissioner, &c. The former, I believe, have all been performed, and the reports of the officers will show that the latter have received the proper attention.

In June last, the Hon. Silas Parsons resigned his office of Judge of the Supreme Court, and the vacancy was supplied by the appointment of the Hon. Daniel Coleman his successor. About the same time, the Hon. David G. Ligon resigned the office of Chancellor of the Northern Division of Alabama, and E. D. Townes was appointed his successor.

I should disappoint expectation, if I closed this communication without alluding to one other subject of absorbing interest, not only to Alabama, but to every State in the Union. I hardly need say, I refer to the great sectional question which has for years agitated the American Confederacy, and somewhat estranged some of its members from each other, and the duty of Alabama in the present posture of affairs.

It is not my purpose to speak of the enactments of Congress which, collectively, have been designated the *Compromise Measures*. In an address to the public, more than twelve months since, I expressed my views in respect to those acts, and have had no occasion to change the opinions I then announced.

Nor will I at this time discuss the slavery question, or the rights of the States in a controversy with the General Government. Should I hereafter deem it a duty to consider these grave topics, I shall not hesitate to express my opinion with becoming frankness to the General Assembly.

In the meantime, let it not be inferred that I think we should do nothing to countervail the antagonism of the abolition and free-soil interests at the North—interests which I regard as identical, aiming at the consummation of the same end; the latter boldly, the former insidiously and under a disguised policy. In several of the free States these classes have a commanding influence, and not only denounce, in their primary and legislative assemblies, the Southern Institution as a great moral evil, and those who are connected with it, as offenders against the laws of God, but discourage or oppose the execution of the only compromise measure for which the Southern people have any peculiar solicitude. Co-operation on the part of the South could make these States feel our power by measures entirely legitimate and peaceful. The regulation of commerce between the States, or the United States and a foreign country, it must be conceded, pertains to Congress; and that it is incompetent for a State legislature to directly subject to its revenue laws merchandise within its ports, until it is commingled with the property of the people of the State like other property. But when this transmutation of condition takes place, it then becomes subject to the local law it puts off the character of an import, and the right to tax it becomes clear.

The second section of the fourth article of the Constitution of the United States declares that "the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States." Perhaps a fair construction of this provision would inhibit the imposition of a higher tax on articles brought here for sale by citizens of other States, than is paid by our own people upon our own products or manufactures of a similar description; but this is the only effect of the constitutional protection. Upon a sale within our limits it would be competent to impose a higher tax than upon the same thing produced or manufactured in our own State or abroad.

I certainly would not advise the passage of any bill, which public opinion does not entirely approve. But, if the popular voice will sanction it, I should consider it a measure of expediency to impose a discriminating tax upon the products and manufactures of the States that have proved themselves recreant to the performance of constitutional duty, whenever they become subject to our revenue laws. I consider it the duty of the South to avail herself of her great resources, and concentrate her wealth at home, that she may acquire increased respectability and influence, and diffuse among the masses of her people a higher degree of comfort and independence.

The producing force of Alabama is quite sufficient for all purposes; and every addition has the tendency to increase the marketable products, and consequently to depress prices. If, instead of continuing the ceaseless round of buying negroes to make cotton to buy more negroes to make more cotton and exhaust the lands, our planters would diversify the employment of their capital, they would be far more independent: money would be more abundant: the country would exhibit greater evidences of thrift, and white larborers would find work at remunerating prices.

Why may not Alabama manufacture not only for the home demand, but for expoitation, cotton goods, heavy woollens, iron, &c.? The raw materials are abundant and at hand, at a less price than they will command at the North; and labor too, whether free or slave, is cheaper. If with these advantages we cannot successfully compete with the industry of the North, let the failure be charged to defective management.

Is it not strange that the South, which furnishes much the greater part of the exports of the United States, with but a small portion of its resources developed, should tamely yield to the North both the export and import trade, and instead of bringing directly from abroad to her own ports the proceeds of her products, should consent to pay tribute to an intermediate class of merchants to the amount of millions. This course of trade is a standing and well grounded rebuke to Southern inactivity. It detracts from Southern character, and induces our Northern brethren to regard all our threats and demonstrations of self-reliance as mere vaporing. It is humiliating to contemplate it, and disreputable to us longer to tolerate it.

Why should not the Southern cities on tide water become importers as well as exporters? Cotton, rice, tobacco and wheat are marketable products in the South, greatly in demand every where, and will purchase as readily as bullion whatever we require from abroad. By yielding to the Northern States the carrying trade we have gradually ceased to import for ourselves; and the navigation laws have been so adjusted as to favor such a result. Our merchants should become proprietors of shipping, and consequently our carriers. The amount paid by the South to our Northern cities in the form of profits on goods imported from abroad would very soon supply us with quite as much shipping as is needful.

Charleston, Savannah and Richmond have caught the spirit, and seem determined to set up for themselves instead of paying tribute to intermediate operators. Baltimore long since would have supplied the demand of the South for merchandise, had not our merchants most unnaturally continued to go further north. It cannot be that Mobile will still sleep on with her immense exports of cotton, with her growing lumber trade, with her trade in coal and naval stores yet in its infancy, but susceptible of expansion to any extent. Why should not New Orleans, with an export trade unequalled in extent or variety, supply the almost unlimited extent of country whose products naturally seek an outlet down the Mississippi, with what the people there want from abroad? Nothing hinders her but the proper direction of capital and enterprise. She certainly has enough of the former, which can always put the latter in requisition. The South is so good a customer of the carrying interest in the transportation of her products, that she may always employ shipping, no matter where owned, to bring back her imports.

It may be that the terms of credit in foreign markets may not be so convenient as in our Northern cities to the course of dealing in the South. However this may be, there can be no difficulty in bringing about an accommodation, if, instead of centralizing our means at the North, we were to concentrate them at home.

Why is it that Liverpool should be almost the only foregin mart for our cotton, and British capitalists should dictate its price both at home and abroad? The continuance of this state of things is certainly the result of an indisposition to strike out new channels of commerce, and the want of effort to establish a direct trade with other countries that purchase our great staple in some form in England. If our customers were increased, and competition stimulated, there can be little doubt that prices would be steadier, and the planter more justly remunerated. Instead of yielding up the markets of the continent to British enterprise, would it not be far better to open a direct intercourse with Hamburg, Amsterdam, and the other great commercial cities of the continental Europe, and extend our trade with France? A large quantity of our cotton could be manufactured into yarns at home—employment thus given to our laboring people—the costs of transportation diminished, and the profits of the producer increased.

To produce the results which I consider important to improve the condition of the South, and to give to her greater independence and power, it is necessary that the producing and consuming interests should give an impetus to the change. Let them make an earnest, united, and persevering movement, and the end will be accomplished much sooner than is generally supposed. But so long as they are quiescent and inactive, our merchants will encounter obstacles and discouragements which will most probably retard their progress, if not entirely defeat their purposes.

In presenting these views I have been influenced less by a sectional feeling than a desire to advance the South to a degree of prosperity, to which her great resources, aided by well directed effort, entitle her to aspire. I have always regarded the citizens of the United States, whether living upon the Aroostook or the Rio Grande, the Atlantic or the Pacific. as my countrymen, and would not willingly contribute to an estrangement of the different sections from each other. Self-protection, however, is not only a paramount right, but a duty.

Hoping that your present session my be distinguished by harmony, and a devotion to the public interest, I pledge you my cordial co-operation in all proper measures that tend to promote the welfare of Alabama and prepetuate a union of the States upon the principles of the Constitution.

H. W. COLLIER.

Mr. Hall offered the following resolution:

Resolved, That the message just read be laid upon the table, and that three thousand copies be printed for the use of the House.

Mr. Nicks moved to strike out the word "three," with a view of inserting "five." Said motion prevailed, and the resolution was adopted.

And then the house adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY, November 12, 1851.

The House met pursuant to adjournment.

James B. Gladney, a representative elect from the county of Pickens, appeared within the bar of the House, was qualified and took his seat.

Leave of absence was granted Mr. Howard, on account of the sickness of his family.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony when raised.

Mr. Speaker laid before the House the following communication from the Secretary of State:

SECRETARY OF STATE'S OFFICE,
Montgomery, Alabama, 12th November, 1851.

HON. JOHN D. RATHER,
Speaker of the House of Representatives:

SIR: Pursuant to the directions contained in the 7th section of the act, "To provide for the taking the census of the State of Alabama for the year 1850," approved the 11th day of February, 1850, I have the honor to lay before you the returns received at this office from the several counties of the state, of the enumeration provided for by said act.

I have the honor to be, &c.,
W. GARRETT,
Secretary of State.

The communication, with the accompanying returns, were referred to the Select Committee on Apportionment of State Senators and Representatives.

Mr. Speaker laid before the House the papers in the matter of contested election in the case of the representative from Dale. Said papers were referred to the Committee on Privileges and Elections when raised.

Mr. Shorter, by leave, offered the following resolution, which was adopted.

Resolved, That a committee, composed of one from each congressional district, be appointed by the Chair to take into consideration the apportionment of the congressional representatives, and re-districting the state, and that said committee report by bill or otherwise.

Messrs. Shorter, Nathaniel Davis, Woolsey, Stone, Nicks, Kavanaugh and Ashley compose said committee.

Bills were introduced by :

Mr. Boon, to compensate jurors serving on trials of the right of property in the county of Dale: and

To require the treasurer of the county of Dale to make semi-annual reports, and for other purposes:

Mr. Brown, for the relief of William C. McAllom, of Marion county: and

To repeal a certain act therein named:

Mr. Critcher, to repeal in part an act therein named, and for other purposes therein named :

Mr. Phillips, to incorporate the Mobile Live Stock and General Insurance Company :

Mr. Stone, to require witnesses summoned to attend the trial of any cause in the courts of this state continually to attend from term to term after having been once *subpœnaed:*

Mr. Roper, for the relief of Homer Collins.

Mr. Byrd introduced joint resolutions to authorise the Secretary of State to procure a flag for the State of Alabama.

Said bills and joint resolutions were severally read and ordered to a second reading.

Mr. George W. Williams presented the account of John Owens, which was referred to the Committee on Accounts when raised.

Mr. Glover presented the petition and memorial of M. McCartney, which was referred to a select committee composed of one member from each of the delegations from the counties of Clarke, Washington, Marengo, Sumter, Greene, Tuscaloosa, Pickens and Fayette.

Mr. Whitsitt introduced a bill to prevent the introduction of slaves into this state for sale, and for other purposes.

On motion of Mr. Jones, one hundred copies of said bill were ordered to be printed, and the bill ordered to a second reading.

Mr. Speaker laid before the House the report of the commissioners appointed to examine the affairs of the Bank of Mobile and the Southern Bank of Alabama. Said report was referred to the Committee on the State Bank and Branches.

Mr. Shorter introduced a memorial to the Congress of the United States in relation to the depredations of the Creek Indians in 1836 and 1837, which was read and referred to the Committee on Federal Felations.

Mr. Lea offered the following resolution, which was adopted:

Resolved, That the Committee on Privileges and Elections, to whom has heretofore been referred the certificate of a gentleman claiming a seat as a member from the newly created county of Hancock, be instructed to enquire whether said gentleman is legally and constitutionally entitled to a seat on this floor as a member, and that said committee report at as early a day as practicable.

Mr. Hall offered the following resolution, which was adopted:

Resolved, That the Governor's message be taken from the table and referred—the following portions to the following committees, to-wit: so much thereof as relates to

Education, ...	To the Committee on	Education,
The University, ... "	"	the University.
State Bank and Branches, "	"	the State Bank and Branches.
Over-flowed Lands, ... "	"	Agriculture.
Comptroller and Treasurer,"	"	Ways and Means.
Banks and Banking, ... "	"	Banks and Banking.
Sixteenth Sections, ... "	"	the Sixteenth Section Fund.
Library & Pickett's History "	"	the State Capitol.
Lunatics, Deaf and Dumb, "	"	Propositions and Grievances.
Judiciary, ... "	"	the Judiciary.
Two and three per cent. funds, ...	"	Internal Improvement.
Agency of Messrs. Jackson and Scott, ...	"	Federal Relations.
Internal Improvement, ... "	"	Internal Improvement.

Mr. Byrd offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to enquire into the constitutional power of the legislature to pass an act requiring free negroes to remove from the state; and that if they find it has such power, they report a bill to effect said object.

Mr. Benham offered the following resolution, which was lost:

Resolved, That the door-keeper be authorised to procure a box containing pigeon holes, to be placed in the north-east corner of the hall, for the purpose of depositing letters and documents for the several members.

The House proceeded to the consideration of the orders of the day:

The bill to divide certain property therein named:

The bill to incorporate the Tuscaloosa Marine and Fire Insurance Company:

The bill defining the duty and liability of witnesses and garnishees:

Were severally read the second time and referred to the Committee on the Judiciary.

Joint resolutions to provide for the insurance of the State Capitol were read a second time.

Mr. Wesley M. Smith moved to amend the same by inserting after the word " Capitol," the words "together with all the public property therein contained." Said amendment was adopted, and the constitutional rule being suspended, the joint resolutions were read a third time forthwith and passed.

Mr. Speaker announced the following Standing Committees:

Committee on the Judiciary are—Messrs. Walker, Shorter, Phillips, Wallace, Webb, Allison, Wm. P. Davis, Armstrong and Adams.

Committee on Ways and Means are—Messrs. Lea, Nathaniel Davis, Price Willliams, Hall, Gladney, Hopkins, Jones, Seaborn Williams and Carlisle.

On Federal Relations are—Messrs. Beck, F. S. Jackson, Webb, Stone, Hall, Byrd, Bradford, Bussey, Ashley.

On Retrenchment are--Messrs. Coleman, Stephens, Holley, Howard, Kavanaugh, Gonder, McMullen, Nicholas Davis.

On Privileges and Elections are—Messrs. Watkins, Robinson, Earnest, Sterrett, Moss, Gonder, Wilson, George W. Williams, Manasco.

On the Military are—Messrs. McAllister, Manasco, Bulger, Petty, Staton, Henderson, Moragne and Pool.

On Internal Improvement are—Messrs. Phillips, Woolsey, Adams, Cooper, F. S. Jackson, Wallace, M. A. King, Watkins and Bass.

On Education are—Messrs. Robinson, Hendree, Shelley, Oates, Byrd, Porter King, Tarrant, Banks and Walton.

On Propositions and Grievances—Messrs. Goldsby, Sterrett, Glover, Larkins, George W. Williams, Stephens, S. Williams, Reaves and Woolsey.

On Agriculture—Messrs. Whitsitt, Liddell, Allen, McCollum, Bussey, Warren, J. W. W. Jackson, W. C. Graham and Freeman.

On County Boundaries—Messrs. Rowe, Tarrant, John Smith, McAllister, Prentice, Majors, Bass, Boon and Critcher.

On Divorce and Alimony—Messrs. Earnest, N. S. Graham, Presley, Kavanaugh, Shelley, Benham, Caffey, Liddell and Larkin.

On Enrolled Bills—Messrs. Moss, Benham, W. M. Smith, Henshaw, Williamson, Turner, Rowe, Nicks and Moragne.

On Roads, Bridges and Ferries—Messrs. Warren, Roper, Price, Snowden, Henderson, Critcher, Austin, Booth and Bennett.

On State Capitol—Messrs. Caffey, Allen, Benbow, Brown, Cox, J. W. Davis, Hendree, Austin and McMullen.

On Corporations—Messrs. M. A. King, Walton, Williamson, Pettey, Holley, Henshaw, Goldsby, Allison and Nicks.

On Sixteenth Section Fund—Messrs. Armstrong, Jones, Majors, Snowden, Clements, Bradford, Ashley, Howard and Presley.

On State Bank and Branches—Messrs. Nathaniel Davis, Campbell, Banks, N. S. Graham, W. M. Smith, J. W. W. Jackson, Carlisle, W. C. Graham and Price.

On the University—Messrs. Stone, Porter King, Nicholas Davis, Clements, Oates, McCaskill, Beck, Walker and Cooper.

On Banks and Banking—Messrs. Price Williams, Wallace, Shorter, Lea, McCaskill, Nicks, Whitsitt, Gladney and Glover.

On Accounts—Messrs. Wilson, Hopkins, Campbell, Bulger, Presley, Prentice, W. P. Davis, Reaves and Freeman

On the Penitentiary—Messrs. Cox, Howard, Pool, Staton, Bennett, Shorter, John Smith, Roper and J. W. Davis.

On Public Printing—Messrs. Turner, Beck, Coleman, Collum, Critcher, Booth, Boon, Brown and Benham.

And then the House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, November 13, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Also, papers on the contested election from Dale, which were referred to the Committee on Privileges and Elections.

Also, the reports of the inspectors and physician of the penitentiary, which were referred to the Committee on the Penitentiary.

Also, the report of the trustees of the university, which was laid on the table and one hundred and fifty copies ordered to be printed for the use of the House.

Mr. Nathaniel Davis, by leave, offered the following resolutions, which were adopted.

Resolved, That the select committee on apportionment be requested to have prepared a tabular statement of the sums total of the population in each county in this state, showing the white and black population in each separate, and that one hundred and fi ty copies thereof be printed for the use of the two houses of eneral assembly.

Resolved, That the Secretary of State be directed to lay before the House of Representatives a copy of the census returns from each county in this state, taken by order of the Congress of the United States.

On motion of Mr. Wallace, the Committee on the Judiciary were instructed to report back to the House, instanter, the bill to incorporate the Tuscaloosa Marine and Fire Insurance Company. Said bill was then referred to the Committee on Corporations.

Mr. Hall, by leave, offered the following resolution, which was adopted:

Resolved, That the Committee on Apportionment of State Representatives and Senators be authorised to employ a clerk.

Mr. Allen presented the petition of John Roads and others, of Benton county, which was referred to the Committee on Privileges and Elections.

Mr. McMullen presented the petition of G. H. McClure et als., which was referred to a select committee composed of the delegates from Butler, Covington and Conecuh.

Mr. Wilson presented the account of Joiner Gentry and E. A. Meade, and Mr. Critcher, the account of J. H. McCarroll, which were severally referred to the Committee on Accounts.

Mr. Armstrong presented the memorial of Joseph G. Evetts, which was referred to the Committee on the Judiciary.

Mr. Byrd presented the petition of S. A. Fitts et als., which was referred to the Committee on Privileges and Elections.

Mr. Larkin presented the petition of Charles L. S. Jones et als., which was referred to the Committee on Education.

Bills were then introduced by:

Mr. Staton, to regulate the pay of witnesses in the county of Blount:

Mr. Cox, for the relief of Fielding Herndon:

Mr. Coleman, to regulate the election of commissioners of roads and revenue in the county of Fayette:

Mr. Kavanaugh, to authorise the commissioners of roads and revenue in the county of Madison to subscribe to the capital stock of the Memphis and Charleston and the Winchester and Alabama railroad companies, said bill being accompanied by a memorial from said commissioners:

Mr. Glover, to extend the time of payment and settlement of the taxes of Marengo county:

Mr. Phillips, to amend an act to incorporate the Marine Dock and Railway Company of Mobile, approved February 11th, 1848:

And, to amend an act to incorporate the Southern Bank of Alabama, passed at Montgomery, 12th February, 1850:

And a bill accepting of the donation of lands made by the

Congress of the United States to aid in the construction of a railroad from the city of Mobile to the mouth of the Ohio:

Mr. Price Williams, to alter and amend an act approved 13th February, 1850, incorporating the Mobile Plank or Shell Road Company:

Mr. Goldsby, to provide the manner in which the State of Alabama shall aid in the construction of railroads by lending her credit:

Mr. Stone, to authorise Hugh G. Windham to sell the real estate of his wards, Rachel A., Thomas K., Benjamin P., John R., and Levi B. Windham:

Mr. Bass, to divorce Leonora P. Butler from her husband, John D. Butler, and for other purposes:

Mr. Roper, in relation to circuit clerks:

Mr. Nicks, to provide for the building of a jail in Talladega county.

Said bills were severally read and ordered to a second reading.

And a bill to authorise the town marshal of Talladega to execute process issued by justices of the peace in said county.

Mr. Hall presented the biennial report of the state treasuer, which was laid on the table and one thousand copies thereof ordered to be printed.

Mr. Wesley M. Smith offered the following resolution, which was adopted:

Resolved, That the clerk of the House be authorised to employ, with the consent of the speaker, two boys to act as pages, at a per diem pay of one dollar.

Mr. Wallace offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to inquire into the constitutionality and expediency of empowering and authorising the commissioners' courts of roads and revenue of each conty in this state to establish and abolish election precincts in their respective counties.

Mr. Phillips introduced joint resolutions to prevent legislation upon general laws until some disposition be made of the code about to be reported.

Said joint resolutions were read, and the House refused to order them to a second reading.

A message was received from the Senate by Mr. Kidd, transmitting the following resolution:

Resolved, That with the concurrence of the House of Representatives, the two Houses will assemble in the Representative Hall, on Friday, the 14th instant, for the purpose of counting the votes and declaring the election of Governor of this state, pursuant to the provisions of the constitution.

Mr. Byrd introduced the following resolution, which was adopted:

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of revising the revenue law, by repealing the clauses of the revenue law licensing the retail of spirituous liquors in any quantities and licensing hotels and houses of entertainment; and that they report by bill or otherwise.

Mr. Goldsby offered the following resolution, which was adopted:

Resolved, That the Committee on the State Bank and Branches, to whom was referred the report of the commissioners appointed by the executive to examine into the affairs of the Mobile Bank and Southern Bank of Alabama, be instructed to have published two thousand copies of the same.

Mr. Moss offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to inquire into the propriety and expediency of a law empowering the commissioners of roads and revenue of each county in the state to levy and collect a tax for the purpose of repairing and rebuilding county buildings, when they deem it necessary; and that said committee report by bill or otherwise.

Mr. Hall offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed by the speaker, to act with a like committee on the part of the Senate, to distribute the offices or rooms of the capitol among the officers and committees of the two Houses.

Messrs. Hall, ——— and ——— compose said committee.

The House then proceeded to the consideration of the orders of the day.

The bill to compensate jurors serving on the trial of the right of property in the county of Dale:

The bill to require the treasurer of the county of Dale to make semi-annual reports, and for other purposes:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill for the relief of William C. McAllom, of Marion county, was read the second time and amended, on motion of

Mr. Cooper, by adding the name of John Bolling, of Cherokee:

Mr. Shorter, by adding the name of Duncan McCall, of Barbour:

Mr. Manasco, by adding the name of John R. Gamble, of Walker.

Mr. Earnest moved to amend the bill by way of substitute, making the relief sought for general in favor of all census takers who shall have made their returns. Said amendment was adopted, and the bill as amended was ordered to be engrossed for a third reading.

The bills:

To repeal a certain act therein named:

To repeal in part a certain act therein named, and for other purposes:

To require witnesses summoned to attend the trial of any cause in the courts of this state continually to attend from term to term after having been once *subpœnaed*:

To prevent the introduction of slaves into this state for sale, and for other purposes:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill to incorporate the Mobile Live Stock and General Insurance Company was read the second time and referred to the Committee on Corporations.

The bill for the relief of Homer Collins was read the second time and referred to the Committee on Propositions and Grievances.

The bill to authorise the Secretary of State to procure a flag for the State of Alabama was read a second time and referred to a select committee composed of Messrs. M. A. King, Wallace, Byrd, Phillips and Armstrong.

And then the House adjourned until to-morrow morning at 10 o'clock.

NOVEMBER 14, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House additional papers in the matter of the contested election from Dale, which were referred to the Committee on Privileges and Elections.

Bills were introduced by:

Mr. Hall, to regulate the pay of jurors of Autauga county:

Mr. Allen, to change the time of paying out the interest due or hereafter to be due the several townships in this State on the sixteenth section fund:

Mr. N. S. Graham, concerning non-resident guardians and wards in certain cases therein named:

Mr. Boon, to change the mode of serving process by constables in the county of Dale:

Mr. Tarraut, to compensate jurors serving on the trial of the right of property before justices of the peace:

Mr. Earnest, to alter the time of electing a keeper of the poor in the county of Jefferson:

Mr. M. A. King, for the relief of James Thomas, sheriff of Madison:

Mr. M. A. King, to incorporate the Bascomb Female Institute at Huntsville, in the county of Madison:

Mr. Lea, in relation to the jurisdiction and change of venue in suits or other matters cognizable in courts of probate:

Mr. Bulger, to provide for the payment of jurors in Tallapoosa county:

Mr. Adams, to authorise John Easley, as trustee, to sell certain lands.

Said bills were severally read and ordered to a second reading.

Accounts were presented by:

Mr. James W. Davis, in favor of James M. Willliams:

Mr. Henderson, in favor of R. R. Wright:

Mr. Stephens, in favor of John Snodgrass and James Kelser:

Mr. Adams, in favor of James M. Evans:

Mr. Banks, in favor of James W. Warren.

Said accounts were severally referred to the Committee on Accounts.

A message was received from the Senate by Mr. Kidd, transmitting a bill to authorise the Mayor and Aldermen of the city of Tuscaloosa to borrow money. Said bill was read and ordered to a seccond reading.

Mr. McCaskill presented the petition of A. W. Gray and others, which was referred to the Committee on Privileges and Elections.

Mr. Shelly presented the petition of J. W. Pruitt and others, which was referred to the Committee on Propositions and Grievances.

Mr. Manasco presented the petition of James Earnest and others, which was referred to the Committee on the Judiciary.

Mr. Speaker laid before the House a communication from the Secretary of State transmitting the returns of the federal census, which were referred to the Committee on Congressional Apportionments.

Mr. Phillips offered the following resolution, which was adopted:

Resolved, That it be referred to the Committee on Internal Improvement, to report to the House a complete history of the two and three per cent. funds, showing the amounts received from the government of the United States, what amount is still claimed to be due from them, and the different appropriations already made by the State out of said funds.

Mr. Byrd offered the following resolution:

Resolved, That a select committee of seven members be appointed to prepare a joint memorial to Congress, for a grant of the public lands in the State of Alabama, or alternate sections of the same, or so much thereof as Congress may grant to the State for the purposes of Education and Internal Improvements—two thirds of the proceeds of the sale or the interest thereon to be appropriated to the education of the children in the townships whose sixteenth section funds are inadequate to accomplish that object, and the other third to be applied to the improvement of the navigable rivers and the construction of railroads and other highways.

Mr. Manasco moved to amend said resolution by striking out so much thereof as requires one-third of the land or proceeds of the land to be devoted to internal improvements, and requiring the whole amount to be devoted to the purposes of education.

The amendment was adopted, and the resolution as amended was adopted.

Messrs. Byrd, Manasco, Campbell, Nicholas Davis, Jones, Oates and Shelley compose the committee raised under said resolution.

Mr. Campbell offered a joint memorial to the Congress of the United States, praying for a grant of land for educational purposes, which was referred to the committee above named.

Mr. M. A. King offered the following resolution which was adopted:

Resolved, That the committee on the capitol be instructed and authorised to employ some skillful architect to examine the roof of this building and prevent it from leaking.

Mr. Cooper offered the following resolution, which was adopted:

Resolved, That the census returns of the several counties in this State, taken by order of the United States Congress and reported to this House by the Secretary of State, be referred to the select committee on congressional apportionment; and that said committee be instructed to prepare a tabular statement of the total population of each county in the State as shown by said returns, giving the number of white inhabitants, of the number of slaves and the number of free colored persons in separate columns, and have one hundred and fifty copies thereof printed for the use of the general assembly.

Mr. Coleman offered the following resolution, which was lost:

Resolved, That the door keeper be allowed to have prepared and situated in some convenient part of the Hall a box in which may be deposited the letters, papers, &c., to the members of this body.

The engrossed bills:

To compensate jurors serving on the trial of the right of property in the county of Dale:

To require the treasurer of the county of Dale to make semi-annual reports:

Were severally read the third time and passed.

Engrossed bill for the relief of W. C. McAllmon was read the third time and passed.

On motion of Mr. Earnest, the caption was amended as follows: A bill to provide for the payment of census takers.

The bills:

To regulate the pay of witnesses in the county of Blount:

To provide for the building of a jail in Talladega county:

To regulate the election of commissioners of roads and revenue in the county of Fayette:

Were severally read the second time and ordered to be engrossed for a third reading.

The bills:

Accepting the donation of lands made by the Congress of the United States to aid in the construction of a railroad leading from the city of Mobile to the mouth of the Ohio river:

To authorise the commissioners of roads and revenue of Madison county to subscribe to the Memphis and Charleston and Winchester and Alabama railroads:

To provide the manner in which the State may aid the construction of railroads by lending her credit:

Were severally read the second time and referred to the Committee on Internal Improvement.

The bills:

For the relief of Fielding Herndon:

To extend the time of payment and settlement of the taxes of Marengo county:

Were severally read the second time and referred to the Committee on Propositions and Grievances.

The bills:

To amend the act incorporating the Marine Dock and Railway Company of Mobile, approved 11th February, 1848:

To authorise the town marshal of Talladega to execute process issued by justices of the peace:

Were severally read the second time and referred to the Committee on Corporations.

The bills:

In relation to circuit clerks:

To authorise Hugh G. Windham to sell the real estate of his wards:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill to divorce Leonora P. Butler from John D. Butler was read the second time and referred to the Committee on Divorce and Alimony.

The bill to alter and amend an act incorporating the Mobile Plank or Shell Road Company was read the second time and referred to a select committee composed of the Mobile delegation.

The bill to amend an act to incorporate the Southern Bank of Alabama was read the second time and referred to the Committee on Banks and Banking.

Mr. Byrd offered the following resolution, which was adopted:

Resolved, That the clerk have one hundred and fifty copies of the tabular statement of the census of 1844 printed for the use of the two Houses.

The Senate, by invitation, appeared within the Hall of the House, and the two Houses in convention proceeded to count the votes for and declare the election of Governor of the State of Alabama for the ensuing constitutional term, when the following result was ascertained:

	Collier.	*Shields.*	*Terry.*	*Yancey.*
Autauga	587	....	..	...
Baldwin	201	197	1	...
Barbour	1,187	....	44	...
Benton	1,889	8	16	...
Blount	339	252	..	...
Chambers	2,125	....	..	...
Cherokee	881	72	..	...
Clarke	712	115	..	...
Choctaw	445	366	..	...
Coffee	321	....	..	...
Conecuh	356	176	..	...
Coosa	1,223	11	..	...
Covington	262	4	..	...
Dallas	490	....	..	...
Dale	718	....	..	...
DeKalb	564	171	..	...
Fayette	674	84	..	...
Greene	1,032	202	..	381
Hancock	78	39	..	...
Henry	928	....	..	...
Jackson	1,446	47	..	...
Jefferson	824	....	..	...
Lauderdale	781	1,005	..	...

	Collier.	*Shields.*	*Terry.*	*Yancey.*
Macon	1,878	1	..	31
Madison	1,841	40	..	...
Marengo	621	629	..	...
Marion	423	....	..	...
Mobile	1,656	1,206	..	...
Montgomery	814	....	..	...
Monroe	528	139	..	...
Morgan	980	31	..	...
Perry	1,326	146	..	...
Russell	1,380	2	..	...
Shelby	860	6	..	...
St. Clair	662	13	..	...
Sumter	637	83	..	...
Talladega	799	40	..	...
Tallapoosa	2,080	....	..	...
Tuscaloosa	1,778	....	..	...
Walker	414	53	..	...
Washington	133	95	..	...
Wilcox	647	396	..	...
Total	37,460	5,747	61	411

Scattering, 243.

So Mr. Henry W. Collier having received a majority of all the votes polled in the State of Alabama on the first Monday in August, 1851, as appears by the legal returns, Mr. Speaker declared him to have been duly and constitutionally elected Governor of the State of Alabama for the term prescribed by the constitution.

The Senate then withdrew to their chamber, and then the House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, November 15, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House records of divorce, which were referred.

Bills were introduced by:

Mr. Hall, to regulate the manner of appointing tax assessors for the county of Autauga:

Mr. W. P. Davis, to tax prosecutors with the costs of frivolous or malicious prosecutions in felonies or misdemeanors:

Mr. Holley, to authorise James Coon, of Coffee county, to pay taxes in Coffee county for certain property owned in Covington:

Mr. Majors, to authorise the judge of probate and commissioner of revenue and roads for DeKalb county to levy a special tax:

Mr. Warren, binding prosecutors to costs in the county of DeKalb:

Mr. Earnest, to regulate the sale of spirituous liquors in the town of Elyton:

Mr. Armstrong, for the relief of John Aday, of Lawrence county:

Mr. M. A. King, to authorise the commissioners' court of Madison county to compensate Robert W. Spraggins:

Mr. Brown, to regulate the drawing and paying petit jurors in the county of Marion:

Mr. Adams, to abolish justices' courts in the county of Marshall:

Mr. Wallace, relating to judicial proceedings:

Mr. Manasco, to repeal an act therein named:

Mr. Turner, to compensate jurors and constables in trials of the right of property in justices' courts in the counties of Choctaw and Washington:

Mr. Turner, to establish jury trials in justices' courts in the counties of Choctaw and Washington, and to regulate the proceedings therein.

Said bills were severally read and ordered to a second reading.

A message was received from the Senate, by Mr. Kidd, transmitting a bill to amend an act to incorporate the Tuscaloosa Plankroad Company.

Said bill was read and ordered to a second reading.

Mr. William P. Davis offered the following amendment to the rules of the House, which lies over one day under the rules:

"44. No bill or joint resolution shall be received or acted on unless the caption indicates the subject matter of said bill or joint resolution."

Mr. J. W. Davis presented the account of James H. Owen:

Mr. Bulger, the account of Joseph Johnson and F. Sparks:

Mr. Woolsey, the account of E. W. Sanders:

Which were severally referred to the Committee on Accounts.

Mr. Henderson presented the petition of Elsberry Fails, and

Mr. Campbell, the petition of William B. Locke:

Which were severally referred to the Committee on Propositions and Grievances.

In the matter of Elijah Harman, of Hancock county, Mr. Watkins, from the Committee on Privileges and Elections, to whom was referred the certificate of election of Elijah Harman and the resolution of Mr. Lea in relation thereto, made the following report:

The Committee on Privileges and Elections, to which a certificate of the election of Elijah Harman, as a Representative from the county of Hancock, was referred, have had the same under consideration and instruct me to report that in its investigation of the subject, the duty has devolved upon it of giving construction to the 9th section of the 3d article and the 16th section of the 6th article of the Constitution, so as to obviate an apparent conflict between them—the first providing for an apportionment of Representatives, (not exceeding one hundred nor less than sixty,) in which each county should have at least one Representative—and the other making the right of suffrage and representation of newly made counties depend upon numbers.

The committee is of opinion, that by viewing the Constitution as an entire thing, the several parts of which were intended by the framers of that instrument to operate in such a manner as to preclude a conflict, and by giving such a construction to its several parts as would allow each part to operate in harmony with the rest, no difficulty will arise in reconciling said sections.

The 9th section of the third article directs, 1st. That the General Assembly shall cause an enumeration of the inhabitants of the State to be made at intervals of six years. 2d. That the General Assembly at the first session after such enumeration shall fix the *whole* number of Representatives and apportion them among the counties, &c., entitled to separate representation, according to their respective number of white inhabitants. 3d. That the apportionment, when made, shall not be subject to alteration until the census shall thereafter be taken. 4th. That the *whole number* of Representatives *shall never* be less than sixty nor more than one hundred—and 5th, by way of proviso, that each county shall be entitled to at least one Representative. The provisions contained in this section, that the whole number of Representatives shall be fixed and apportioned at the first session after an enumeration of the inhabitants, and that the whole number of Representatives shall *never* be less than sixty nor more than one hundred, seem clearly to indicate, that one of the leading objects contemplated by the adoption of said section, was the restriction of the number of the representative branch of the legislature within the limit of sixty on the one hand and one hundred on the other. In other words, that they were intended to inhibit at all times the fixing a number less than sixty and as a prohibition at all times against extending the number beyond one hundred, either at the time of apportionment or any other time. The proviso must be construed as a condition to or qualification of the section to which it is attached, and the opinion of the committee is, that it simply guarantees to each of the counties existing at the time of an apportionment at least one Representative, and not at any other time.

The 16th section of article 6th relates to the creation of new counties, and among other things provides that "Every new county, as to the right of suffrage and representation, shall be considered as a part of the county or counties from which it was taken, until entitled by numbers to the right of separate representation."

This section when taken by itself seems to favor the idea, that the right of a new county to representation depends upon the number of its inhabitants at the time, but as the framers of the Constitution must have had in view all of the other provisions of it at the same time, and as they could not have intended that the one part should render another nugatory, it is the opinion of the committee that they contemplated that new counties should not be entitled to separate representation until an enumeration of their inhabitants should be made agreeably to the requirements of the 9th section of the 3d article, and then only upon an apportionment made upon such enumeration by the General Assembly, which has the power to fix the whole number. Such is its opinion, because no other legal or constitutional mode is fixed than that contained in said 9th section, by which the number could be ascertained which would entitle them to representation. The committee cannot believe that the 16th section of article 6 was intended to have the effect under any contingency that might arise of increasing the number of the representative branch beyond one hundred—as would be the case if the member from Hancock was admitted.

Entertaining the views above set forth, as to the construction of the aforementioned sections of the Constitution, and being satisfied that any other view would fail to reconcile the apparent conflict between said sections and do violence to the declaration that the whole number should never exceed one hundred, the committee instruct me to report as the result of their deliberations that the newly created county of Hancock is not entitled to separate representation agreeably to its understanding of the Constitution, and that the said Elijah Harman, whose credentials have been referred to it, cannot be admitted to a seat as a Representative from said county. All of which is respectfully submitted.

R. S. WATKINS, *Chairman.*

Said report was unanimously concurred in.

Mr. Glover, from the select committee to whom was referred the memorial of M. McCartney, reported a bill to remove the obstructions in the Tombigby river.

Said bill was read and ordered to a second reading.

Mr. Cooper offered the following resolution, which was laid on the table for the present:

Resolved, That the Committee on the Sixteenth Section

Fund be instructed to report at as early a day as practicable a bill apportioning to the valueless sixteenth sections of this State the interest on the proceeds of certain lands sold under the provisions of an act of the General Assembly of this State, entitled an act to locate land for valueless sixteenth sections, approved 13th February, 1850.

Mr. Wallace introduced joint resolutions to provide for the payment of Elijah Harman, of Hancock county, which were read.

Mr. Critcher moved to lay said joint resolutions on the table, which motion was lost. Yeas 25; nays 71.

Those who voted in the affirmative are:

Messrs. Ashley,
Austin,
Benbow,
Booth,
Byrd,
Clements,
Critcher,
W. P. Davis,
Freeman,
Glover,
Goldsby,
Gonder,
Hall.
Messrs. F. S. Jackson,
Porter King,
Manasco,
McCaskill,
McCollum,
McMullen,
Nicks,
Price,
Robinson,
Rowe,
G W. Williams,
Williamson, and
Wilson.

Those who voted in the negative are:

Messrs. Speaker,
Adams,
Allen,
Allison,
Armstrong,
Bass,
Beck,
Benham,
Bennett,
Boon,
Bradford,
Brown,
Bulger,
Bussey,
Caffey,
Campbell,
Carlisle,
Coleman,
Cooper,
Cox,
J. W. Davis,
Nathaniel Davis,
Messrs. Nich. Davis,
Earnest.
Gladney,
N. S Graham,
W. C. Graham,
Henderson,
Hendree,
Henshaw,
Hopkins,
J. W. W. Jackson,
Jones,
M. A. King,
Larkin,
Lea,
Liddell,
Majors,
Moragne,
McAllister,
McCollum,
Moss,
Oates,
Petty,

Messrs Phillips,
Pool,
Prentice,
Presley,
Reaves,
Roper,
Shelley,
Staton,
John Smith,
W. N. Smith,
Shorter,
Stephens,
Sterrett,

Messrs. Snowden,
Stone,
Tarrant,
Turner,
Walker,
Wallace,
Walton,
Warren,
Watkins,
Webb,
Whitsitt,
S. Williams, and
Woolsey,

Mr. Byrd moved to amend said joint resolutions by striking out the per diem allowance, which motion was lost.

Mr. Goldsby offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to inquire and report to this House at as early a day as practicable, whether the following section in Clay's Digest has ever been repealed by any act of the legislature:

"§ It shall not be lawful for any member of the General Assembly of the State to be elected to any office of honor, trust, or profit during the time for which he is elected, which office is filled by a joint vote of the two Houses of the General Assembly:"

And that said committee report whether the action of preceding legislatures in electing members of their body to office can be construed into a repeal of said section.

Mr. Liddell offered the following resolution:

Resolved, That with the concurrence of the Senate, the two Houses will assemble in the hall of the House of Representatives on Monday, the 17th instant, at 12 M., for the purpose of going into the election of a United States Senator for the term beginning on the the 4th day of March, 1851.

Mr. Armstrong moved the indefinite postponement of said resolution.

After discussion on said motion, Mr. Gladney moved to adjourn until Monday morning, at 10 o'clock, which motion was lost.—Yeas 43; nays 54.

Those who voted in the affirmative are:

Messrs. Speaker,
Adams,
Armstrong,
Austin,
Beck,

Messrs. Bennett,
Boon,
Bulger,
Bussey,
Caffey,

Messrs. Campbell,
Clements,
Coleman,
Cox,
J. W. Davis,
Nathaniel Davis,
W. P. Davis,
Gladney,
Goldsby,
N. S Graham,
Hall,
Henderson.
Henshaw,
J. W. W. Jackson,
Jones,
Porter King,
Moragne,
Messrs. McAllister,
McCaskill,
McMullen,
Pool,
Price.
Reaves,
Robinson,
Shorter.
W. M. Smith,
Stephens,
Stone,
Turner,
Whitsitt,
G. W. Williams,
P. Williams, and
Wilson.

Those who voted in the negative are:

Messrs. Allen,
Allison,
Ashley,
Banks,
Bass,
Benbow,
Benham,
Booth,
Bradford,
Brown,
Byrd,
Carlisle,
Cooper,
Critcher,
Nich. Davis,
Earnest,
Freeman,
Glover,
Gonder,
W. C. Graham,
Hendree,
Holley,
Hopkins,
F. S. Jackson,
M. A. King,
Larkin,
Lea,
Messrs. Liddell,
Majors,
Manasco,
McCollum,
Moss,
Nicks,
Oates.
Petty,
Phillips,
Presley,
Roper,
Rowe,
Shelley,
John Smith,
Staton,
Sterrett,
Snowden,
Tarrant,
Walker,
Wallace,
Walton,
Warren,
Watkins,
Webb,
S. Williams,
Williamson, and
Woolsey.

And then, on motion of Mr. Glover, the House adjourned until Monday morning, at 10 o'clock.

MONDAY, November 17, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Mr. Byrd.

Mr. Speaker laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Also, additional papers in the contested election from Dale, which were referred to the Committee on Privileges and Elections.

Bills were introduced by:

Mr. Ashley, to alter and amend an act to authorise the election of eight commissioners of roads and revenue in the county of Conecuh, approved 22d January, 1848:

Mr. S. Williams, authorising the judge of probate and commissioners of roads and revenue for Macon county to sell certain lands therein mentioned:

Mr. Whitsitt, relating to sales of real estate for taxes:

Mr. Turner, to regulate the pay of grand and petit jurors in the counties of Choctaw and Washington.

Said bills were severally read and ordered to a second reading.

Mr. Stone presented the petition of Enoch G. Bryan, late jailor of Pickens county, which was referred to the Committee on Propositions and Grievances.

Mr. Walker, from the Committee on the Judiciary, to whom was referred the memorial of Joseph G. Evetts, reported

A bill for the relief of Joseph G. Evetts, which was read, and the constitutional rule being suspended, was read a second time forthwith.

Mr. Seaborn Williams moved to amend by way of proviso, which was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Rowe presented the petition of L. B. Gray and others, which was referred to the Committee on Privileges and Elections.

Mr. Phillips, from the Committee on Internal Improvement, to whom was referred the bills:

To authorise the commissioners of roads and revenue of Madison county to subscribe to the capital stock of the Memphis and Charleston and Winchester and Alabama railroads:

Accepting the donation of lands made by the Congress of the United States to aid in the construction of a railroad from the city of Mobile to the mouth of the Ohio river:

Reported the same back without amendment and recommended their passage.

Said bills were severally ordered to be engrossed for a third reading.

Mr. Goldsby, from the Committee on Propositions and Grievances, to whom was referred so much of the Governor's message as relates to the establishment of schools for the deaf, dumb and blind, recommended the reference of said subject to the Committee on Education.

Mr. Goldsby, from the same committee, to whom was referred the bill to extend the time of payment and settlement of the taxes of Marengo county, reported the same back with an amendment by way of proviso, which was adopted and the bill ordered to be engrossed for a third reading.

Mr. Goldsby, from the same committee, to whom was referred the bill for the relief of Homer Collins, reported the same back with an amendment by way of proviso, which was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Goldsby, from the same committee, to whom was referred the petition of G. W. P. Pruitt, praying to be allowed to retail and peddle without license, reported that as exclusive privileges can only be granted in consideration of public services, and as none such are alleged to have been performed by petitioner, it is inexpedient to grant the relief sought.

The report was concurred in.

Mr. Cox, from the Committee on the Penitentiary, to whom was referred the report of the physicians and inspectors of the penitentiary, reported the same back and recommended that twenty-five hundred copies thereof be printed for the use of the two Houses.

The report was concurred in.

The question then recurred on the motion of

Mr. W. P. Davis to amend the rules of the House as submitted on Saturday.

Said motion was lost.

The question then recurred on the motion of

Mr. Armstrong to postpone indefinitely the resolution offered by Mr. Liddell on Saturday in relation to the election of a Senator in the Congress of the United States.

Mr. Glover moved to lay said resolution on the table.

Mr. Nathaniel Davis moved to postpone the further consideration of Mr. Glover's motion until to-morrow.

Mr. Manasco moved to postpone the further consideration of the resolution until the third Monday in December next.

Mr. Nathaniel Davis moved its postponement until the first Monday in January next.

Mr. Bulger moved its postponement until the fourth Monday in January next, which last motion having precedence was first put and prevailed. Yeas 51; nays 47.

Those who voted in the affirmative are:

Messrs. Speaker,
Adams,
Allen,
Austin,
Beck,
Bennett,
Boon,
Brown,
Bulger,
Bussey,
Campbell,
Clements,
Coleman,
Cox,
J. W. Davis,
Nathaniel Davis,
W. P. Davis,
Gladney,
Goldsby,
W. C. Graham,
Hall,
Henderson,
Howard,
J. W. W. Jackson,
Jones,

Messrs. Porter King,
Majors,
Manasco,
Moragne,
McAllister,
McCaskill,
McMullen,
Phillips,
Pool,
Prentice,
Price,
Reaves,
Robinson,
Rowe,
Shorter,
W. M. Smith,
Staton,
Stephens,
Stone,
Tarrant,
Turner,
Whitsitt,
G. W. Williams,
P. Williams,
Wilson.

Those who voted in the negative are:

Messrs. Allison,
Ashley,
Banks,
Bass,
Benbow,
Benham,
Booth,
Bradford,
Caffey,
Carlisle,
Cooper,
Critcher,
Nich. Davis,
Earnest,
Freeman,
Glover,
Gonder,
Hendree,
Henshaw,
Holley,
F. S. Jackson, Hopkins,
M. A. King,

Messrs. Larkin,
Lea,
Liddell,
McCollum,
Moss,
Nicks,
Oates,
Petty,
Presley.
Roper,
Shelley,
John Smith,
Sterrett,
Snowden,
Walker,
Wallace,
Walton,
Warren,
Watkins,
Webb,
S. Williams,
Williamson, Woolsey.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To regulate the election of commissioners of roads and revenue of the county of Fayette:

To provide for the building of a jail in Talladega county:

To regulate the pay of witnesses in the county of Blount, amended by engrossed ryder, on motion of Mr. Staton:

Were severally read the third time and passed.

Engrossed joint resolutions to provide for the payment of Elijah Harman, of Hancock county, were read the third time and passed. Yeas 46; nays 44.

Those who voted in the affirmative are:

Messrs. Adams,
Allen,
Armstrong,
Banks,
Bass,
Benham,
Bussey,
Campbell,
Carlisle,
Coleman,
Cooper,
Cox,
J. W. Davis,
Nich. Davis,
Earnest,
Gladney,
N. S. Graham,
W. C. Graham,
Hendree,
Henshaw,
Hopkins,
J. W. W. Jackson,
Kavanaugh,

Messrs. M. A. King,
Larkin,
Lea,
Liddell,
Moragne,
McCollum,
Petty,
Prentice,
Roper,
Shorter,
W. M. Smith,
Sterrett,
Snowden,
Stone,
Tarrant,
Walker,
Wallace,
Walton,
Watkins,
Webb,
P. Williams,
S. Williams, and
Woolsey.

Those who voted in the negative are:

Messrs. Allison,
Ashley,
Austin,
Benbow,
Boon,
Booth,
Bradford,
Brown,
Bulger,

Messrs. Caffey,
Clements,
Critcher,
Nathaniel Davis,
W. P. Davis,
Freeman,
Glover,
Goldsby,
Gonder,

Messrs. Hall,
Henderson
Jones,
Porter King,
Majors,
Manasco,
McAllister,
McCaskill,
McMullen,
Moss,
Nicks,
Pool,
Price,

Messrs. Reaves,
Robinson,
Rowe,
Shelly,
John Smith,
Staton,
Stephens,
Turner.
Warren,
Whitsitt,
G. W. Williams,
Williamson, and
Wilson.

The bills:

To authorise James Coon, of Coffee county, to pay taxes in Coffee for property owned in Covington:

Binding prosecutors to costs in DeKalb county, amended by way of proviso, on motion of Mr. Snowden:

To regulate the sale of spirituous liquors in the town of Elyton:

Mr. McMullen moved to amend said bill by striking out the words "two miles."

Said motion was lost.

To regulate the drawing and paying of petit jurors in the county of Marion:

To authorise the commissioners' court of Madison county to compensate Robert S. Spraggins:

To abolish justices' courts in the county of Marshall, amended on motion of Mr. Coleman, by adding Fayette:

To compensate juries and constables on trial of the right of property in justices' courts in the counties of Choctaw and Washington:

To establish jury trials in justices' courts in the counties of Choctaw and Washington, and to regulate the proceedings therein:

To regulate the pay of juries in Autauga county:

To compensate jurors in trials of the right of property before justices' of the peace:

To alter the time of electing a keeper of the poor for the county of Jefferson:

To provide for the payment of juries in Tallapoosa county:

To authorise John Easley to sell certain lands:

To establish and incorporate the Bascomb Female Institute at Huntsville, in the county of Madison:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill to change the mode of serving process by constables in the county of Dale was read the second time.

Mr. Moragne moved to amend the bill by way of proviso.

On motion of Mr. McCollum, the bill and amendment were referred to the Committee on the Judiciary.

The bills:

In relation to jurisdiction and change of venue in suits and other matters cognizable in courts of probate:

Relating to judicial proceedings:

To repeal an act therein named:

To tax prosecutors with the costs of frivolous or malicious prosecutions in felonies and misdemeanors:

Were severally read the second time and referred to the Committee on the Judiciary.

The bills:

For the relief of John Thomas, sheriff of Madison county:

For the relief of John Aday, of Lawrence county:

Were severally read the second time and referred to the Committee on Propositions and Grievances.

The bill to change the time of paying out the interest due or hereafter to be due the several townships in the State on the 16th section fund, was read the second time and referred to the Committee on the Sixteenth Section Fund.

The bill to regulate the manner of appointing tax assessors for the county of Autauga was read the second time and referred to the Committee of Ways and Means.

The bill to remove the obstructions in the Tombigbee river was read the second time and referred to the Committee on Internal Improvements.

The bill to authorise the judge of probate and commissioners of revenue and roads for the county of DeKalb to levy a special tax was read the second time, and on motion of Mr. Warner, laid on the table for the present.

The bill concerning non-resident guardians and wards in certain cases therein named was read the second time, and on motion of Mr. N. S. Graham, laid on the table.

The bill from the Senate to incorporate the Tuscaloosa Turnpike Plankroad Company was read a second time and ordered to a third reading.

The bill from the Senate to authorise the mayor and aldermen of Tuscaloosa to borrow money was read the second time and referred to the Committee on Corporations.

And the House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, November 18, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Mr. Woolsey.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony:

Also, the biennial report of the Committee on Public Accounts, which, on motion of Mr. Hall, was referred to the Committee on Ways and Means, with instructions to have printed so much thereof and as many copies as in their opinion the public good requires.

Bills were presented by:

Mr. Holley, to authorise the building of a court house in the county of Coffee:

Mr. Walker, to facilitate the preparation of causes in the supreme court.

Mr. Benham, to abolish certain election precincts in Lauderdale county, and establish others in lieu thereof:

Mr. Nathaniel Davis, to repeal the act to preclude from office certain persons therein named:

Mr. John Smith, to establish an election precinct at Ridge Grove, in the county of Macon:

Mr. John Smith, to alter and amend the latter clause of the 4th section of the revenue act approved the 11th of February, 1850:

Mr. Glover, to authorise Edwin A. Glover to change a road therein named:

Mr. Brown, to establish certain election precincts and to discontinue others:

Mr. Critcher, to incorporate the Northern Bank of Alabama:

Mr. Phillips, to incorporate the Mobile and New Orleans Railroad company:

Mr. Manasco, to repeal in part an act therein named:

Mr. Sterrett, to establish a precinct in the county of Wilcox:

Mr. Sterrett, for the relief of Willliam Dale, of Wilcox county.

Said bills were severally read and ordered to a second reading.

Mr. Wilson presented the accounts of P. Woodson, and Mr. Sterrett the accounts of E. L. Moore, M. M. Benham and Geo. M. Hamner, which were severally referred to the Committee on Accounts.

Mr. Turner presented the petition of Noah Barbour, which was referred to the Committee on Propositions and Grievances.

Mr. Walker, from the Committee on the Judiciary, to whom was referred the resolution of the House instructing said committee to enquire and report, whether the act approved January 12, 1833, which provides that it shall not be lawful for any member of the General Assembly to be elected to any office of honor, trust or profit, which is filled by a joint vote of the two Houses during the time for which he is elected, has been repealed by any action of the legislature; and also to enquire and report, whether the action of preceding legislatures in electing members of their body to office can be construed into a repeal of said law, have had the matter so directed to be enquired of under consideration, and report that the act referred to has not been repealed by any subsequent legislature, except in so far as it may be considered repealed by the act of 1835, which provides that the act of 1833 shall not be so construed as to prevent the election of a member of the General Assembly to the office of judge of the county court. Your committee have further instructed me to report that the practice of preceding legislatures in electing to office members thereof cannot in their opinion be construed as a repeal of the act referred to.

Your committee were not by the resolution under which they have acted instructed to enquire into the constitutionality of the act referred to, hence they express no opinion on that subject.

The above report was concurred in.

Mr. Walker, from the same committee, to whom was referred the bill to repeal a certain act therein named, for the relief of John Douglas, report the same back without amendment.

Said bill was ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, to whom was referred the petition of James Earnest, reported adversely thereto.

The report was concurred in.

Mr. M. A. King, from the Committee on Corporations, to whom was referred the bill to authorise the town marshall of Talladega to execute process issued by justices of the peace within the limits of said county, reported the same back.

Said bill was ordered to be engrossed for a third reading.

Mr. Price Williams, from the Committee on Banks and Banking, to whom was referred the bill to amend the charter of the Southern Bank of Mobile, reported the same back with amendments, which were concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Wilson, from the Committee on Accounts, reported back the account of James H. McCarroll as not being properly made out.

Said account was withdrawn by Mr. Critcher.

Mr. McMullen, from the select committee, to whom was referred the petition of sundry citizens of Butler, Conecuh and Covington, in relation to stock, reported that it would be unconstitutional to legislate upon the subject.

The report was concurred in.

Mr. Price Williams, from the select committee, to whom was referred the bill to amend an act, approved the 13th February, 1850, incorporating the Plank or Shellroad Company, reported the same back with amendments, which were concurred in, and the bill ordered to be engrossed for a third reading.

The following resolution from the Senate was, on motion of Mr. Nathaniel Davis, laid on the table:

Resolved, That with the concurrence of the House, a joint committee of the two Houses be raised, consisting of one member from each judicial circuit, whose duty it shall be under the late census to apportion the State.

The bill from the Senate to establish a poor house in the county of Russell was read and ordered to a second reading.

The House concurred in the amendments of the Senate to the joint resolution to provide for the insurance of the State capitol.

The bills from the Senate:

To require the county treasurer from Jefferson county to pay over certain moneys:

To amend an act incorporating the President and Directors of the Wetumpka Bridge Company:

Were severally read the first time and ordered to a second reading.

Mr. Cox offered a resolution proposing to elect a chancellor for the middle division on Thursday next, at 12 M.

Mr. Nathaniel Davis moved to amend said resolution by adding "and solicitors in the first, second, third, fourth and fifth judicial circuits, and so on as they regularly occur."

Mr. Shelley moved the indefinite postponement of the resolution and amendments.

Mr. Glover moved to lay the resolution and amendments upon the table, upon which motion

Mr. Price Williams called for a division of the question, which was first taken on the amendment and carried, and then on the resolution and carried.

Mr. Shorter offered the following resolution, which was adopted:

Resolved, That the Committee on Congressional Apportionment be authorised to appoint a clerk.

A message was received from the Senate, by Mr. Kidd, transmitting a resolution proposing that the two Houses shall, on Thursday next, at 12 M., elect a solicitor for the third judicial circuit.

On motion of Mr. Shorter, said resolution was laid on the table.

Mr. Glover offered the following resolution:

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of an additional judge or judges to the bench of the supreme court, and increasing the salary of the same, and report by bill or otherwise.

On motion of Mr. Phillips, said resolution was amended as follows:

And also to enquire into the expediency of consolidating the chancery districts and diminishing the number of chancellors.

Mr. Nathaniel Davis moved to amend the resolution by striking out so much as relates to an increase of the salaries of the judges, which motion was lost, and then said resolution was adopted.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To authorise the commissioners of roads and revenue of the county of Madison to subscribe to the capital stock of the Memphis and Charleston and the Winchester and Alabama Railroad Companies:

To regulate the sale of spirituous liquors in the town of Elyton:

To establish jury trials in justices' courts in the county of Choctaw and of Washington, and to regulate the proceedings thereof:

For the relief of Joseph G. Evetts:

To accept of the donation of lands made by the Congress of the United States to aid in the construction of a railroad from the city of Mobile to the mouth of the Ohio river:

To establish and incorporate the Bascomb Female Institute at Huntsville, in the county of Madison:

To compensate jurors and constables in trials of the right of property in justices' courts in the counties of Choctaw and Washington:

For the relief of Homer Collins:

To authorise John Easley as trustee to sell certain lands:

To extend the time of payment and settlement of the taxes of Marengo county:

To regulate the pay of jurors in Autauga county:

To provide for the payment of jurors in Tallapoosa county:

To authorise James Coon, of Coffee county, to pay taxes in Coffee for certain property owned in Covington county:

To abolish justices' courts in the counties of Marshall and Fayette:

To regulate the drawing and paying of petit jurors in the county of Marion:

To authorise the commissioners' court of Madison county to compensate Robert S. Spraggins:

To alter the time of electing a keeper of the poor for the county of Jefferson:

To bind prosecutors to cost in the county of DeKalb:

Were severally read the third time and passed.

The engrossed bill to compensate jurors for the trial of the right of property before justices of the peace was read the third time and referred to the Committee on the Judiciary.

The bill from the Senate to amend an act to incorporate the Tuscaloosa Plankroad Company was read the third time and passed.

The bill to create the office of commissioner to take testimony, and to regulate his duties and compensation, and for other purposes, was read the second time and referred to the Committee on the Judiciary.

The bill relating to sales of real estate for taxes was read the second time and referred to the Committee on Ways and Means.

The bills:

Authorising the judge of probate and commissioners of revenue and roads for Macon county to sell certain lands therein mentioned:

To alter and amend an act authorising the election of eight commissioners of revenue and roads in the county of Conecuh, approved January 22d, 1845: and

To regulate the pay of grand and petit jurors in the counties of Washington and Choctaw:

Were severally read the second time and ordered to be engrossed for a third reading.

Mr. Clements offered the following resolution, which was adopted:

Resolved, That, with the concurrence of the Senate, the two Houses will assemble in the hall of the House on the second Monday in December, at 12 M., for the purpose of electing a Quartermaster General of the State of Alabama.

And then the House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, November 19, 1851.

The House met according to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Also, the report of the quartermaster general, which was referred to the Committee on the Military.

Bills were introduced by:

Mr. Howard, to establish an election precinct in the county of Autauga:

Mr. Howard, to regulate certain marriages:

Mr. Henderson, to abolish an election precinct and establish one in lieu thereof in the county of Butler:

Mr. Cooper, to elect the tax assessor of Cherokee county by the people:

Mr. Holley, to amend an act to provide for the paying of the grand and petit juries for the county of Coffee, approved 12th December, 1849:

Mr. Snowden, to regulate the pay of petit juries in the county of Covington:

Mr. McCollum, for the relief of James C. Jenkins, of Fayette county:

Mr. Watkins, to provide for the sale of the insolvent and doubtful claims belonging to the estate of Samuel Sevier, dec'd:

Mr. Gonder, for the relief of Wm. A. Goodwyn:

Mr. Bradford, to make the county treasurer of Madison county elective by the people:

Mr. Price Williams, to incorporate the Mobile and Philadelphia Steamship Company:

Mr. Price Williams, to authorise the commissioners of roads and revenue to establish and discontinue election precincts in the several counties in the State:

Mr. F. S. Jackson, to incorporate the Central Bank of Alabama:

Mr. Reaves, to provide for the paying of judges, clerks and registers of the different counties in the State for transcripts in appeals to the supreme court, or to be used for any other purpose:

Mr. Walton, to repeal in part the third section of an act therein named:

Mr. Roper, to repeal in part the third section of an act therein named, and for other purposes:

Mr. Hopkins, to change the name of the Montgomery Manufacturing Company, and to authorise an increase of the capital stock of the same:

Mr. Clements, to incorporate the Society of the Alumni of the University of Alabama.

Said bills were severally read and ordered to a second reading.

Joint resolutions were introduced by:

Mr. Lea, in relation to the history of Alabama:

Mr. Rowe, to amend the constitution of the State of Alabama:

And were severally read and ordered to a second reading.

The following bills, transmitted from the Senate by Mr. Kidd, were severally read and ordered to a second reading:

To authorise the Governor of the State to issue a patent to A. M. Lackey for lot number seven, section sixteen, township seven, range nine, west:

To repeal certain acts therein named regulating the pay of petit juries in Randolph county:

To repeal an act regulating the selecting of juries in Marion county.

Mr. Hopkins presented the memorial of grand jurors of Sumter county on the subject of gaming, which was referred to the Committee on the Judiciary.

Mr. Rowe presented the account of Mark Bonham, which was referred to the Committee on Accounts.

Mr. Wesley M. Smith, from the Committee on Enrolled Bills, reported as correctly enrolled, joint resolutions to provide for the Insurance of the State capitol.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named, which was read and ordered to a second reading.

Mr. Wilson, from the Committee on Accounts, reported that the account of James M. Williams is not a State charge. The report was concurred in and the account was withdrawn by Mr. J. W. Davis.

Mr. Bulger offered the following resolution, which was adopted:

Resolved, That the Senators and Representatives of the State of Alabama and the Senators and Representatives from the different States to the Congress of the United States that may be present at any time during the present session, be invited to seats in this Hall; and that any member of this House be authorised to give the invitation personally to any such Senator or Representative that may visit the city during the session.

Mr. Boon offered the following resolution, which was adopted:

Resolved, That the Committee on Sixteenth Sections be instructed to enquire into the expediency of passing a general law requiring the Governor to cause patents to be issued to purchasers of sixteenth sections or any portion of them, on satisfactory proof being made that the purchase money has been paid to the officers authorised to receive the same, with leave to report by bill or otherwise.

Mr. Goldsby offered the following resolution, which was adopted:

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of passing a law compelling non-residents to pay taxes on moneys loaned by them in the State of Alabama.

Mr. Nathaniel Davis offered the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means be directed to cause twenty-five hundred copies of the comptrollers' report to be printed in such condensed form as they may deem most advisable, nine hundred of which may be subject to the order of the Senate and sixteen hundred for the use of the House; and that the State printers forward them to the door keepers of the respective Houses accordingly.

Mr. Stone offered the following resolution, which was referred to the Committee on the State capitol:

Resolved, That the door keeper of the House of Representatives purchase for the use of the lobby three dozen suitable chairs.

Engrossed bills:

To regulate the pay of grand and petit jurors in the counties of Washington and Choctaw:

Authorising the judge of probate and commissioners of revenue and roads for Macon county to sell certain lands therein mentioned:

To alter and amend an act to authorise the election of eight commissioners of roads and revenue in the county of Conecuh, approved on the 22d of January, 1845:

To repeal a certain act therein named:

To authorise the town marshal of Talladega town to execute process issued by justices of the peace within the limits of said county:

To alter and amend an act approved February 13th, 1850, incorporating the Mobile Plank or Shellroad Company:

Were severally read the third time and passed.

The engrossed bill to amend the charter of the Southern Bank of Alabama was read the third time, and on motion of

Mr. Gonder, its further consideration was postponed until Tuesday next, and on motion of

Mr. Nathaniel Davis, it was made the special order for 12 M. of said day.

The bills from the Senate:

To establish a poor house in the county of Russell:

Requiring the county treasurer of Jefferson county to pay over certain moneys:

Were severally read a second time and ordered to a third reading.

The bill from the Senate to amend an act incorporating the President and Directors of the Wetumpka Bridge company was read the second time and referred to the Committee on Corporations.

The bills:

For the relief of William Dale, of Wilcox county:

To repeal an act to preclude from office certain persons therein named:

To authorise the building of a court house in the county of Coffee:

Were severally read the second time and ordered to be engrossed for a third reading.

The bills:

To establish certain election precincts in the county of Marion and to discontinue others:

To establish an election precinct at Ridge Grove, in the county of Macon:

To abolish certain election precincts in Lauderdale county, and to establish others in lieu thereof:

To establish an election precinct in the county of Wilcox:

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bill to facilitate the preparation of causes in the supreme court was read the second time and referred to the Committee on the Judiciary.

The bill to alter and amend the latter clause of the fourth section of the revenue act, approved 11th February, 1850, was read the second time and referred to the Committee on Ways and Means.

The bill to authorise Edwin A. Glover to change a road therein named was read the second time and referred to the Committee on Roads, Bridges and Ferries.

The bill to incorporate the Northern Bank of Alabama was read the second time and referred to the Committee on Banks and Banking.

The bill to incorporate the Mobile and New Orleans Railroad Company was read the second time and referred to the Committee on Internal Improvement.

Mr. Robertson offered the following resolution, which was adopted:

Resolved, That the Governor of the State, having set apart the 27th of November, instant, as a day of public thanksgiving, the Rev. Dr. Lipscomb, of Montgomery, be invited to perform divine service in the hall of the House of Representatives on that occasion.

And the House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, November 20, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Leave of absence was granted to Seaborn Williams.

Mr. Shorter presented the memorial of W. B. Crews, which was referred to the Committee on Ways and Means.

Bills were introduced by:

Mr. Staton, to authorise the tax collector of Blount county to assess the tax of said county:

Mr. Coleman, to authorise Dorcas McCullough, a *feme covert*, to hold property in her own right:

Mr. McCollum, to amend an act therein named, approved 5th February, 1850:

Mr. Philips, to amend the charter of the Fulton Insurance company:

Mr. Adams, to repeal the law authorising the licensing of tenpin alleys:

Mr. Watson, to abolish the election precinct in the county of Russell and to establish another in lieu thereof.

Joint resolutions were introduced by:

Mr. Philips, proposing amendments to the constitution of the State.

Said bills and joint resolutions were severally read and ordered to a second reading.

Mr. Oates introduced joint resolutions proposing amendments to the constitution of the State of Alabama, which were read and referred to the Committee on the Judiciary.

Mr. McMullen introduced a bill to regulate the pay of members of the General Assembly, which was read and the House refused to order it to a second reading.

Mr. Cooper presented the petition of Doctor James Chandler, and Mr. Walker, the petition of James H. Dickson, which were severally referred to the Committee on Propositions and Grievances.

Mr. N. S. Graham introduced a bill to legalise a certain marriage therein named, and for other purposes, which was read, the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Propositions and Grievances.

Mr. Oates presented the account of Eli O'Neal, and Mr. Adams the account of Alexander Jordan, which were severally referred to the Committee on Accounts.

Mr. McCaskill presented the petition of James Drue et al., which was referred to the Committee on the Judiciary.

Mr. Bulger presented the petition of A. D. Studivant et al., which was referred to the Committee on the Judiciary.

The House concurred in the amendment of the Senate to the bill to compensate jurors serving on trials of the right of property in the county of Dale.

The bill from the Senate, transmitted by Mr. Kidd on the above, to incorporate the Battle House Company of Mobile, was read and ordered to a second reading.

The Senate, through Mr. Kidd, informed the House of their dissent from the resolution proposing to elect a Quartermaster General on the second Monday in December.

Reports.

Mr. Walker, from the Committee on the Judiciary, to whom was referred the resolution of the House enquiring into the expediency of adding a judge or judges to the supreme court bench, and of condensing the chancery districts and diminishing the number of chancellors, reported that it is inexpedient to legislate on the chancery districts or chancellors at this time; the committee retain the resolution of further enquiry as to the first branch thereof. Said report was concurred in.

Mr. Walker, from the same committee, to whom was referred a a bill in relation to circuit clerks, reported the same back with amendments, which was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, to whom was referred a bill to repeal in part an act therein named, and for other purposes, reported the same back, which Nathaniel Davis moved to amend as follows: "*Provided*, That the provisions of this act shall not be construed to effect or to apply to any cases of gaming with minors now pending in any of the courts of this State."

The amendment was lost and the bill ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, to whom was referred the bill to change the mode of service of process by constables in Dale county, reported adversely thereto.

Mr. Webb, from the same committee, to whom was referred the bill defining the duty and liability of witnesses and garnishees, reported adversely thereto.

Mr. Armstrong, from the same committee, to whom was referred a resolution of enquiry into the expediency of empowering the commissioners' courts to levy and collect a tax for erecting or reparing county buildings, reported adversely thereto.

Said reports were severally concurred in.

Mr. Goldsby, from the Committee on Propositions and Grievances, to whom was referred the petition of Noah Barbour, reported adversely thereto, and the report was concurred in.

Mr. Goldsby, from the same committee, to whom was referred the memorial of E. G. Bryan, reported adversely thereto.

On motion of Mr. Stone, the report was laid on the table.

Mr. Goldsby, from the same committee, to whom was referred the bill for the relief of John Aday, and the bill for the relief of James Thomas, reported the same back.

Said bills were severally ordered to be engrossed for a third reading.

Mr. Goldsby, from the same committee, to whom was referred the bill for the relief of Felix Herndon, reported adversely thereto.

On motion of Mr. N. S. Graham, the report was laid on the table.

Mr. Coleman moved to amend the bill by striking out the words "this State" and inserting in lieu therereof "Coosa county." The amendment was adopted and the bill ordered to be engrossed for a third reading.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named, which was read and ordered to a second reading.

Mr. M. A. King, from the Committee on Corporations, to whom was referred the bills from the Senate authorising the mayor and aldermen of the city of Tuscaloosa to incorporate the Mobile Live Stock and General Insurance Company:

To amend an act to incorporate the Marine Dock and Railway Company of Mobile, approved the 11th February, 1848, reported the same back.

Said bills were severally ordered to a third reading.

Mr. Staton offered the following resolution, which, on motion of Mr. Webb, was laid on the table.

Resolved, That the Committee on Apportionments, be and they are hereby instructed to report a bill reducing the number of Representatives to seventy-five, and the number of Senators to seventy-five.

Mr. Boon offered the following resolution, which was lost:

Resolved, That the Committee on the Military be instructed to enquire into the propriety of furnishing the captain or other commanding officer of each beat company in this State one copy of Cooper's or some other cheap standard on Military Work or Tactics, with the distinct understanding that each captain or other officer so receiving shall deliver said work to his successor on retiring from office.

Mr. Coleman offered the following resolution:

Resolved, That the two Houses convene in the Hall of the

House, at the hour of 12 o'clock M., on Monday next, for the purpose of electing a Chancellor for the middle division of this State.

Mr. Allison moved to amend said resolution, by striking out "next Monday" and inserting "the third Monday in January," which motion was lost and the resolution adopted.

Mr. Stone presented the petition of citizens of Pickens county, residing south of Sipsey river, praying to be attached to Greene county. Said petition was referred to the Committee on County Boundaries.

A message was received from his excellency the Governor, by his private Secretary, Mr. Harrison, transmitting a communication from Messrs. J. J. Ormond, A. P. Bagby and George Goldthwaite, commissioners appointed to codify the laws of Alabama, together with the Code prepared by them.

Mr. Phillips offered the following resolution:

Resolved, That the report by the commissioners appointed to codify the laws be referred to a committee of——to act with a similar committee to be appointed on the part of the Senate, whose duty it shall be to examine said code, to report to the House the most material changes which have been made in the laws as they now exist, and to make such recommendation in reference to said code as may seem proper, and that said committee have leave to sit during the session of the House.

On motion of Mr. Walker, the blank in said resolution was filled with the word "nine."

On motion of Mr. Price Williams, the resolution was further amended by adding "and that twenty-five hundred copies of the communication of the commissioners be printed for the use of the House."

Mr. Hall moved to amend said resolution by way of substitute, as follows:

Resolved, That it is the opinion of this House that the code and system of practice submitted by the commissioners cannot receive such an examination and discussion of its merits in the space of an ordinary session as will justify this House in adopting it.

Resolved, That it is expedient that a called session shall be held for the purpose of maturely considering said code.

Resolved, That ——— copies be printed for the use of the House.

Mr. Hall moved to postpone the further consideration of the substitute and the resolution until Monday next.

Mr. Shorter moved that they be made the special order for 12 M. of said day.

Mr. Gonder moved their postponement until Wednesday, which motion was lost, and the question recurring on the motion of Mr. Hall as amended by the motion of Mr. Shorter, the same prevailed.

Mr. Beck offered the following resolution, which was adopted:

Resolved, That the Committee on Public Printing be instructed to enquire as to the probable time requisite for printing one hundred and thirty-three copies of said code, and the probable cost thereof, and that they report on Monday next.

Mr. Hall offered the following resolution, which was adopted:

Resolved, That the select committee on apportionment be instructed to prepare tabular statements of such statistical information as may be found in the census returns, and to publish such number of copies as in their judgment may be expedient and necessary for the public information.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The bills from the Senate:

Requiring the county treasurer of Jefferson county to pay over certain moneys:

To establish a poor house in the county of Russell:

And the engrossed bills:

For the relief of William Dale, of Wilcox county:

To authorise the building of a court house in the county of Coffee:

To repeal in part an act therein named:

To repeal an act to preclude from office certain persons therein named:

Were severally read the third time and passed.

he bills:

To divorce certain persons therein named:

To repeal in part a certain act therein named, and for other purposes:

To repeal in part the third section of an act therein named:

For the relief of William A. Goodwyn:

To provide for the sale of the insolvent and doubtful claims belonging to the estate of Samuel Sevier, deceased:

For the relief of James C. Jenkins, of Fayette county:

To regulate the pay of petit jurors in the county of Covington:

To amend an act to provide for the paying the grand and petit jurors for the county of Coffee, approved 12th December, 1849:

And the joint resolutions as to the history of Alabama:

Were severally read the second time and ordered to be engrossed for a third reading.

The bills from the Senate:

To authorise the Governor of this State to issue a patent to A. M. Lackey for lot No. seven, section sixteen, township seven, range nine, west:

To repeal certain acts there in named, regulating the pay of petit jurors in Randolph county:

Were severally read the second time and ordered to a third reading.

The bill from the Senate regulating the selecting of jurors in Marion county was read the second time, and on motion of Mr. Brown, laid on the table.

Joint resolutions to amend the Constitution of the State of Alabama were read the second time and referred to the Committee on he Judiciary.

The bill to incorporate the Society of the Alumni of the University of Alabama was read the second time and referred to the Committee on the University.

The bill to change the name of the Montgomery Manufacturing Company and to authorise an increase of the capital stock of the same, was read the second time and referred to the Committee on Corporations.

The bills:

To provide for the paying of judges, clerks and registers of the different courts of this State, for transcripts in appeals to the supreme court, or to be used for any purpose:

To legalise certain marriages:

To authorise the commissioners of revenue and roads to establish and continue election precincts in the several counties of this State:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill to incorporate the Central Bank of Alabama was read the second time and referred to the Committee on Banks and Banking.

The bill to incorporate the Mobile and Philadelphia Steamship Company was read the second time and referred to the Committee on Internal Improvements.

The bills:

To abolish an election precinct and establish another in lieu thereof in the county of Butler: and

To establish an election precinct in the county of Autauga:

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bill to make the county treasurer of Madison county elective by the people was read the second time and amended:

on motion of Mr. Warren, by adding DeKalb county; on motion of Mr. Freeman, by adding Pike; on motion of Mr. Coleman, by adding Fayette; on motion of Mr. Hall, by adding Autauga; on motion of Mr. Stone, by adding Pickens; on motion of Mr. Staton, by adding Blount; on motion of Mr. W. P. Davis, by adding Benton; on motion of Mr. Holley, by adding Coffee; on motion of Mr. Brown, by adding Marion: on motion of Mr. Henderson, by adding Butler:

Mr. Reaves moved further to amend the bill by inserting the words "and tax assessors," after the word "treasurer."

On motion of Mr. Gonder, the bill and amendment were laid on the table.

The bill to elect the tax assessor of Cherokee county by the people was read the second time and amended, on motion of Mr. Coleman, by adding Fayette; on motion of Mr. Walton, by adding Russell; and by Mr. Warren, by adding DeKalb.

On motion of Mr. M. A. King, the bill was referred to the Committe on Ways and Means.

And then the House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, November 21, 1851.

The House met according to adjournment.

Leave of absence was granted to Messrs. Henderson and Presley.

Mr. Speaker laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Bills were introduced by:

Mr. Price, to increase the pay of jailors:

Mr. J. W. Davis, to regulate the compensation of jurors in the county of Bibb:

Mr. Majors, to charter the Wills' Valley Railroad Company:

Mr. McCollum, providing for the pay of jurors in Fayette county:

Mr. Stephens, to change and lengthen the time of holding the circuit court of Jackson county:

Mr. Nathaniel Davis, to compensate the county treasurer for the county of Limestone for receiving and paying out sixteenth section funds:

Mr. Brown, to appoint a board of commissioners and provide for the improvement of the Buttahatchie river from the Mississippi line up to the military ford:

Mr. Manasco, to consolidate the offices of tax assessor and collector in the county of Walker:

And were severally read and ordered to a second reading.

Mr. Critcher introduced a bill to regulate the compensation of the respective solicitors of the State of Alabama.

On motion of Mr. Shorter, said bill was laid on the table. Yeas 53; nays 35.

Those who voted in the affirmative are:

Messrs. Speaker,
Allen,
Allison,
Armstrong,
Ashley,
Banks,
Bass,
Beck,
Bennett,
Boon,
Booth,
Bradford,
Bulger,
Bussey,
Caffey,
Campbell,
Carlisle,
Clements,
Cox,
J. W. Davis,
Nathaniel Davis,
W. P. Davis,
Gladney,
N. S. Graham,
Hall,
Henderson,
Messrs. Hendree,
Holley,
Hopkins,
Howard,
J. W. W. Jackson,
Larkin,
Liddell,
McAllister,
McCaskill,
Petty,
Prentice,
Presley.
Price,
Reaves.
Shorter,
Sterrett,
Stone,
Tarrant,
Turner,
Watkins,
Webb,
Whitsitt,
G. W. Williams,
P. Williams, and
Williamson.

Those who voted in the negative are:

Messrs. Adams,
Austin,
Benbow,
Benham,
Brown,
Coleman,
Cooper,
Critcher,
Nich. Davis,
Freeman,
Glover,
Henshaw,
Kavanaugh,
M. A. King,
Manasco, Majors,
Moragne, McCollum,
Messrs. McMullen,
Moss,
Nicks,
Phillips,
Pool,
Robinson,
Rowe,
Shelley,
John Smith,
W. M. Smith,
Staton,
Stephens,
Snowden,
Walker,
Walton,
Warren, and Wilson.

Mr. Wilson introduced a bill to authorise Pitman W. Lumpkin, of the county of Chambers, as the guardian of John W. Vernon and Ebenezer R. Vernon, minors, to purchase negro slaves.

Said bill was read, and the constitutional rule being suspended, was read the second and third times forthwith and passed. Ordered that the same be sent forthwith to the Senate for its concurrence.

Mr. Wilson presented the account of Lewis Owen, which was referred to the Committee on Accounts.

Mr. Walker, from the Committee on the Judiciary, to whom was referred the bill in relation to jurisdiction and change of venue in suits or other matters cognizable in courts of probate, reported adversely thereto.

On motion of Mr. Webb, the report and bill were laid on the table.

Mr. Walker, from the same committee, to whom was referred the bill to create the office of commissioner to take testimony, and to regulate his duties and compensation, and for other purposes:

And the petition of the grand jury of Sumter county in relation to gaming, reported adversely thereto.

Said reports were severally concurred in.

Mr. Adams, from the same committee, to whom was referred the engrossed bill to compensate jurors for the trial of the right of property before justices of the peace, reported the same back. The bill passed.

Mr. Adams, from the same committee, to whom was referred the resolutions of enquiry into the expediency of a law taxing the money of non-residents loaned in this State, reported the same back and recommended its reference to the Committee on Ways and Means. The report was concurred in.

Mr. Adams, from the same committee, to whom was referred the bill to tax prosecutors with the costs of frivolous or malicious prosecutions in felonies and misdemeanors, reported adversely thereto.

On motion of Mr. William P. Davis, the report was laid on the table and the bill amended by striking out all which relates to felonies.

Mr. Nathaniel Davis moved to postpone the further consideration of the bill until the last Monday in January, which motion was lost. Yeas 39; nays 52.

Those who voted in the affirmative are:

Messrs. Speaker,
Adams,
Allison,

Messrs. Armstrong,
Ashley,
Austin,

Messrs. Bass,
Beck,
Bradford,
Bulger,
Campbell,
Nathaniel Davis,
Nich. Davis,
Freeman,
Gladney,
Glover.
W. C. Graham,
F. S. Jackson,
J. W. W. Jackson,
Jones.
M. A. King,
Larkin,

Messrs. Moss,
Nicks,
Oates,
Reaves,
Robinson,
Rowe,
Shorter,
W. M. Smith,
Stephens,
Sterrett,
Turner,
Walker,
Watkins,
Webb,
Whitsitt, and
Williamson.

Those who voted in the negative are:

Messrs. Ashley,
Banks,
Benbow,
Benham,
Bennett,
Boon,
Brown,
Bussey,
Caffey,
Carlisle,
Clements,
Coleman,
Cooper,
Cox,
Critcher,
J. W. Davis,
W. P. Davis,
Earnest,
Goldsby,
N. S. Graham,
Henderson.
Henshaw,
Howard,
Kavanaugh,
Porter King,

Messrs. Liddell,
Majors.
Manasco,
Moragne,
McAllister,
McCaskill,
McCollum,
McMullen,
Petty,
Prentice,
Presley.
Price.
Roper,
Shelley,
John Smith,
Staton,
Snowden,
Stone,
Tarrant,
Wallace,
Warren,
G. W Williams,
Price Williams, and
Wilson.

On motion of Mr. Cooper, the bill was then referred to a select committee of nine, to be composed of one from each judicial circuit. Messrs. W. P. Davis, N. S. Graham, Snowden, Tarrant, Nich. Davis, Henshaw, McCollum, G. W. Williams and Reaves compose said committee.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named, which was read and ordered to a second reading.

Mr. Wesley M. Smith, from the Committee on Enrolled Bills, reported as correctly enrolled a bill to compensate juries serving on trials of the right of property in the counties of Dale and Perry, and joint resolutions to provide for the payment of Elijah Harmon, of Fayette county.

A message was received from the Senate by Mr. Kidd, transmitting the following bills, to-wit:

The bills:

To amend an act to incorporate the Fireman's Insurance Company of Mobile:

To authorise a change of venue in certain cases therein named:

To repeal in part an act to alter and amend the several laws for the government and regulation of the port and harbor of Mobile:

To designate the line between certain regiments therein mentioned:

Were severally read the first time and ordered to a second reading.

Also, a bill to suppress malicious prosecutions for misdemeanors, which was read the first and second time forthwith, (the constitutional rule being suspended,) and referred to the select committee of nine above mentioned.

Also, a resolution requesting the House to inform the Senate what disposition had been made by the House of a resolution from the Senate proposing to raise a joint committee to apportion the State under the late census.

On motion of

Mr. Nathaniel Davis, the clerk was instructed to inform the Senate that the House laid said resolution on the table.

Mr. Cooper offered the following resolution:

Resolved, That the Committee on the Penitentiary be instructed to enquire into the expediency and practicability of employing convicts to labor for a term of years in the construction of some work of internal improvement calculated to afford facilities to commerce and to develope the resources of the State, and that they report by bill or otherwise.

Mr. Nicks moved to amend said resolution as follows:

Resolved, That the Committee on the Penitentiary be requested to enquire into the expediency of employing the labor of the convicts in the Penitentiary in making rope and bailing, which was lost, and then the resolution was adopted. Yeas 44; nays 32.

Those who voted in the affirmative are:

Messrs. Speaker,
Allison,
Ashley,
Banks,
Bennett,
Brown,
Bulger,
Bussey,
Carlisle,
Cooper,
Critcher,
W. P. Davis,
Glover,
N. S Graham,
Hall,
Henderson,
Hendree,
Henshaw,
F. S. Jackson,
J. W. W. Jackson,
Kavanaugh,
M. A. King,

Messrs. Liddell,
Majors,
McAllister,
McCaskill,
McCollum,
McMullen,
Moss,
Nicks,
Presley,
Roper,
Shelley,
Shorter,
John Smith,
Staton,
Sterrett,
Snowden,
Tarrant,
Turner,
Walker,
Warren.
Watkins, and
P. Williams.

Those who voted in the negative are:

Messrs. Adams,
Allen,
Armstrong,
Austin,
Benbow,
Boon,
Bradford,
Caffey,
Coleman,
Cox,
J. W. Davis,
Nathaniel Davis,
Nich. Davis,
Freeman,
Holley,
Hopkins,

Messrs. Howard,
Jones,
Porter King,
Larkin,
Manasco,
Petty,
Pool,
Prentice,
Reaves,
Rowe,
W. M. Smith,
Stephens,
Webb,
Whitsitt,
Williamson, and
Wilson.

Mr. Moss offered the following amendment to the rules of the House, which was laid over one day:

Add to the sixth rule the words, "And shall not be heard from any other place than his own desk."

On motion of

Mr. Shorter, the resolution from the Senate, proposing to elect a solicitor for the third judicial circuit, was taken from the table.

Mr. Shorter moved to amend said resolution by striking out "Thursday" and inserting "Monday, the 24th."

Mr. Nicks moved to postpone the further consideration of said resolution until the third Monday in December next, which was lost. Yeas 25; nays 65.

Those who voted in the affirmative are:

Messrs. Allison,
Austin,
Benbow,
Bulger,
Carlisle,
Coleman,
Critcher,
Nathaniel Davis,
Gladney.
Hale,
Henderson,
Henshaw,

Messrs. Liddell,
Majors,
Manasco,
McMullen,
Nicks,
Presley,
Rowe,
Shelley,
W. M. Smith,
Stephens,
Warren, and
Wilson.

Those who voted in the negative are:

Messrs. Speaker,
Adams,
Allen,
Armstrong.
Ashley,
Banks,
Bass,
Beck,
Benham,
Bennett,
Boon,
Bradford,
Bussey,
Caffey,
Campbell,
Clements,
Cox,
J. W. Davis,
W. P. Davis,
Earnest,
Freeman,
Glover,
Goldsby,
N. S Graham,
W. C. Graham,
Henderson,
Holley,
Hopkins,

Messrs. Howard,
F. S. Jackson,
J. W. W. Jackson,
Jones,
Kavanaugh,
M. A. King,
P. King,
Jenkins,
McAllister,
McCaskell,
McCollum,
Moss,
Oates,
Petty,
Phillips,
Pool,
Prentice,
Reaves.
Roper,
Shorter,
John Smith,
Staton,
Sterrett,
Snowden,
Stone,
Tarrant.
Turner.
Walker,

Messrs. Walton,	Messrs. Whitsitt,
Watkins,	P. Williams, and
Webb,	S. Williamson.

The amendment of Mr. Shorter was adopted, and the resolutions as amended was adopted.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The engrossed resolution as to the history of Alabama and the engrossed bills:

For the relief of Fielding Herndon:

For the relief James Thomas, Sheriff of Madison county:

For the relief of John Aday, of Lawrence county:

To repeal in part the act therein named and for other purposes:

To amend an act to incorporate the Marine Dock and Railway Company:

For the relief of William A. Goodwin:

For the relief of James C. Jenkins, of Fayette county:

To repeal in part the third section of an act therein named:

To provide for the sale of the insolvent and doubtful claims belonging to the estate of Samuel Sevier, deceased:

To repeal in part a certain act therein named, and for other purposes:

To amend an act to provide for the paying the grand and petit juries for the county of Coffee, approved 12th December, 1849:

To regulate the pay of petit juries for the county of Covington:

To divorce certain persons therein named:

To incorporate the Mobile Live Stock and General Insurance Company:

In relation to circuit courts:

Were severally read the third time and passed.

The bills from the Senate:

To authorise the governor of this State to issue a patent to A. M. Lackey for lot number seven, section sixteen, township seventeen, range nine, west:

To repeal certain acts therein named regulating the pay of petit jurors in Randolph county:

To authorise the mayor and aldermen of Tuscaloosa to borrow money:

Were severally read the third time and passed.

The bill from the Senate to incorporate the Battle House Company of Mobile was read the second time and ordered to a third reading.

The bill to abolish an election precinct in the county of Russell, and establish another in lieu thereof, was read the second time and referred to the Committee on Privileges and Elections.

The bill to repeal the law authorising the licensing of ten pin alleys was read the second time and referred to the Committee on Ways and Means.

The joint resolutions proposing amendments to the Constitution were read the second time and referred to the Committee on the Judiciary.

The bills:

To divorce certain persons therein named:

To amend the charter of the Fulton Insurance company:

To authorise the tax collector of Blount and St. Clair counties to assess the tax on said counties:

To amend an act therein named, approved on the 5th of February, 1851:

To authorise Dorcas McCullough, a *feme covert*, to hold property in her own right:

Were severally read the second time and ordered to be engrossed for a third reading.

A message was received from the Senate by Mr. Kidd, informing the House that the Senate had passed the following bills originating therein, viz:

A bill to regulate the pay of witnesses in the county of Blount:

To provide for the payment of census takers:

To regulate the election of commissioners of roads and revenue for the county of Fayette:

To provide for the building of a jail in Talladega county:

Joint resolutions to provide for the payment of Elijah Harman, of Hancock county.

And then the House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, November 22, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Mr. Howard.

Mr. Speaker laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Also, additional papers on the contested election from Dale county, which were referred to the Committee on Privileges and Elections:

Also, a communication from the Rev. A. A. Lipscomb, accepting the invitation of the House to perform Divine Services in the hall, on Thursday, the 27th instant, and naming the hour of eleven, A. M., as the hour when said services shall commence.

On motion of

Mr. Robinson, the said hour was agreed to.

Bills were introduced by:

Mr. Shorter, to amend the charter of the Eufaula and Mobile Railroad Company:

Mr. Snowden, for the relief of Samuel L. Baveas, of Covington county:

Mr. Snowden, for the relief of Jason Nobbs, of Covington county:

Mr. Warren, providing for the payment of fines and forfeitures in the county of DeKalb:

Mr. Nathaniel Davis, to equalise the salary of the several solicitors in the State:

Mr. Adams, to refund to George White certain taxes overpaid:

Mr. Robinson, to authorise the Governor to furnish arms to the Mobile Rifle Company.

Mr. F. S. Jackson, to incorporate the Hebrew Benevolent Society of Montgomery:

Mr. Banks, to abolish and establish certain election precincts therein named:

And were severally read and ordered to a second reading.

Reports.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, to whom was referred

The bill to authorise Edwin A. Glover to change a road therein named, reported the same back.

Said bill was ordered to be engrossed for a third reading.

Mr. Austin, from the Committee on the State Capitol, to whom was referred the resolution in relation to seats in the gallery and lobby of the House of Representatives, reported a bill to provide for the comfort of citizens visiting the State capitol.

Said bill was read and ordered to a second reading.

The question recurred on the motion of

Mr. Moss, to amend the sixth rule of the House, as submitted on yesterday; said motion was lost.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The bill from the Senate to incorporate the Battle House Company of Mobile, and

The engrossed bills:

To amend an act therein named, approved 5th February, 1850:

To authorise Dorcas McCullough, a *feme covert*, to hold property in her own right:

To divorce certain persons therein named:

Were severally read the third time and passed.

The engrossed bill to authorise the tax collectors of Blount and St. Clair counties to assess the taxes of said counties was read the third time.

Mr. Allen moved to amend by engrossed ryder, as follows:

SEC. 5. *And be it further enacted*, That the provisions of this act be extended to the county of Benton.

Said ryder was read three times and adopted, and on motion of

Mr. Nathaniel Davis, the bill was referred to the Committee on Ways and Means.

The engrossed bill to amend the charter of the Fulton Insurance Company was read the third time and referred to the Committee on Corporations.

The engrossed bill to repeal in part an act to alter and amend the several laws for the government of the port and harbor of Mobile was read the third time and referred to the Committee on Internal Improvement.

The bill from the Senate to amend an act to incorporate the Fireman's Insurance Company of Mobile was read the second time and referred to the Committee on Corporations.

The bill from the Senate to designate the line between certain regiments therein mentioned was read the second time and ordered to a third reading.

The bills:

To divorce certain persons therein named:

To regulate the compensation of jurors in the county of Bibb:

Providing for the pay of jurors in Fayette county:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill to increase the pay of jailors was read the second time and referred to the Committee on Retrenchment.

The bills:

To charter the Wills Valley Railroad Company, and

To appoint a board of commissioners, and provide for the improvement of the Buttatcha river from the Mississippi line to the military ford:

Were severally read the second time and referred to the Committee on Internal Improvement.

The bill to change and lengthen the time for holding the circuit court of Jackson county was read a second time and referred to a select committee composed of the delegates from the counties composing the fifth judicial circuit.

The bill to compensate the county treasurer of Limestone county for receiving and paying out sixteenth section funds was read the second time and amended, on motion of

Mr. Campbell, by adding the word "Morgan" after "Limestone." Said bill was then referred to the Committee on the Sixteenth Section Fund.

The bill to consolidate the offices of tax assessor and collector in the county of Walker was read the second time and referred to the Committee on Ways and Means.

Mr. Cox offerred the following resolution, which was lost:

Resolved, That the Committee on Ways and Means, be authorised to enquire into the expediency of consolidating the offices of collectors of taxes in the several counties of the State, and that they have leave to report by bill or otherwise.

Mr. Critcher moved to take from the table the bill to regulate the compensation of the respective solicitors of the State of Alabama.

Said motion prevailed. Yeas 38, nays 33.

Those who voted in the affirmative are:

Messrs. Adams,
Allison,
Ashley,
Austin,
Bass,
Benbow,
Benham,
Bennett,
Brown,
Bulger,
Carlisle,
Coleman,
Critcher,
J. W. Davis,
N. Davis,
Freeman,
Kavanaugh,
M. A. King,
Liddell,
Messrs. Majors,
Manasco,
Moragne,
McMillan,
Nicks,
Pool,
Reaves,
Roper,
Rowe,
Shelley,
John Smith,
W. M. Smith,
Staton,
Stephens,
Snowden,
Turner,
Warren, and
Wilson.

Those who voted in the negative are:

Messrs. Speaker,
Allen,
Armstrong,
Banks,
Beck,
Booth,
Messrs. Bradford,
Bussey,
Clements,
Cox,
W. P. Davis,
Earnest,

Messrs. Hopkins,
Howard,
Jones,
P. King,
Larkins,
Petty,
Phillips,
Prentice,
Price,
Shorter,
Messrs. Sterrett,
Tarrant,
Walker,
Wallace,
Watkins,
Webb,
Whitsitt,
G. W. Williams,
P. Williams, and
Seaborn Williams.

The question recurred on ordering said bill to a second reading, which order the House refused; so the bill was lost. Yeas 33, nays 43.

Those who voted in the affirmative are:

Messrs. Adams,
Allison,
Ashley,
Austin,
Bass,
Benbow,
Bennett,
Brown,
Bulger,
Carlisle,
Coleman,
Critcher,
Nich. Davis,
Freeman,
Kavanaugh,
M. A. King,
Liddell,
Messrs. Majors,
Manasco,
Moragne,
McMullen,
Nicks,
Pool,
Reaves,
Rowe,
Shelley,
John Smith,
W. M. Smith,
Staton,
Stephens,
Snowden,
Warren, and
Wilson.

Those who voted in the negative are:

Messrs. Speaker,
Allen,
Armstrong,
Ashley,
Austin,
Banks,
Beck,
Benham,
Boon,
Booth,
Bradford,
Bussey,
Campbell,
Messrs. Cox,
J. W. Davis,
W. P. Davis,
Earnest,
Goldsby,
W. C. Graham,
Henshaw,
Hopkins,
Howard,
J. W. W. Jackson,
Jones,
P. King,
Larkin,

Messrs. McAllister,
Oates,
Petty,
Phillips,
Prentice,
Price,
Shorter,
Sterrett,
Tarrant,
Messrs. Turner,
Walker,
Wallace,
Watkins,
Webb,
Whitsitt,
G. W. Williams,
P. Williams, and
Williamson.

Mr. Nathaniel Davis gave notice that he would, on Monday next, move to reconsider the vote just taken.

Mr. Price Williams moved to reconsider said vote instanter.

Mr. Wilson moved to postpone the further consideration of said motion until Monday next, at 11 o'clock.

Mr. Webb moved its postponement until the fourth Monday in January, which last motion, having precedence, was first put and lost.

The question was then taken on the motion of Mr. Wilson, which was also lost.

And on the motion of Mr. Price Williams, which was also lost. Yeas 30; nays 53.

Those who voted in the affirmative are:

Messrs. Adams,
Allison,
Austin,
Benbow,
Bennett,
Brown,
Bulger,
Carlisle,
Critcher,
J. W. Davis,
Nich. Davis,
Freeman,
Gladney,
Kavanaugh,
M. A. King,
Messrs. Liddell,
Majors,
Manasco,
Moragne,
McMullen,
Nicks,
Pool,
Reaves,
Shelley,
W. M. Smith,
Staton,
Stephens,
Snowden,
Warren, and
Wilson.

Those who voted in the negative are:

Messrs. Speaker,
Allen,
Armstrong,
Ashley,
Banks,
Bass,
Beck,
Messrs. Benham,
Boon,
Booth,
Bradford,
Bussey,
Campbell,
Clements,

Messrs. Cooper,
Cox,
J. W. Davis,
Earnest,
Goldsby,
W. C. Graham,
Hall,
Henshaw,
Holley,
Hopkins,
Howard,
J. W. W. Jackson,
Jones,
P. King,
Larkin,
McAllister,
Oates,
Petty,
Messrs. Phillips,
Prentice,
Price,
Roper,
Rowe,
Shorter,
John Smith,
Sterrett,
Tarrant,
Turner,
Walker,
Wallace,
Watkins,
Webb,
Whitsitt,
G. W. Williams,
P. Williams, and
Williamson.

Mr. Earnest offered the following resolution, which was referred to the Committee on the State Capitol:

Resolved, That the Secretary of State be authorised to cause two suitable stoves to be placed in the hall of the House.

A message was received from the Senate by Mr. Kidd, informing the House that the Senate had amended the resolution of the House proposing to elect a chancellor for the middle division by inserting Wednesday next, in lieu of Monday.

Also, that the Senate had adopted a resolution proposing to elect a chancellor for the Northern Division on Wednesday next, at 12 M.

Mr. Nathaniel Davis moved to amend said last resolution by adding "and a solicitor for the fourth judicial circuit." Said amendment was adopted, and the House concurred in the said resolution as amended and in the amendment of the Senate to the resolution from the House.

The bill from the Senate, transmitted by Mr. Kidd, for the payment of William McCarty, jailor of Jefferson county, was read and ordered to a second reading.

The House concurred in the amendment of the Senate to the bill to extend the time of payment and settlement of the taxes of Marengo county.

Mr. Walker offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of increasing the number of chancellors and providing for holding semi-annual terms of the chancery court in each county; and further to enquire, whether said changes can be effected without additional expense to the State, by diverting a sufficient portion of the public money from the purposes to which it is now applied to the payment of the salary of such additional chancellor, and to report by bill or otherwise.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named. Said bill was read and ordered to a second reading.

Mr. W. P. Davis offered the following resolution which was adopted:

Resolved, That with the concurrence of the Senate, the House will assemble in convention. on Saturday next, at 12 M., to elect a solicitor for the fifth judicial circuit.

And then the House adjourned till to-morrow morning at 10 o'clock.

MONDAY, November 24, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Bills were introduced by:

Mr. McMullen, to abolish jury trials in forcible entry and detainer and unlawful detainer:

Mr. McMullen, in relation to testimony before justices' of the peace:

Mr. Warren, to provide for the election of a county treasurer and tax assessor by the qualified voters in the county of DeKalb.

Mr. McCollum, declaring licenses therein named to citizens of Fayette:

Mr. Phillips, to authorise the corporate authorities of the city of Mobile to levy a special tax:

Mr. Reaves, to regulate the granting of licenses to retailers of spirituous liquors:

Mr. Shelley, to repeal in part an act therein named and for other purposes.

Mr. Banks, to alter the mode of selecting grand jurors for the county of Tuscaloosa:

And were severally read and ordered to a second reading.

Mr. Moss presented the account of the Alabama Journal; and

Mr. F. S. Jackson the accounts of John P. Figh and James D. Randolph, which were severally referred to the Committee on Accounts.

Mr. Shelley introduced a bill authorising the judge of probate for Talladega county to qualify and commission certain persons therein named as commissioners of roads and revenue, and for other purposes, which was read, and the constitutional rule being suspended was read the second time forthwith and referred to the Committee on the Judiciary.

A message was received from the Senate by Mr. Kidd, informing the House that the Senate had passed the House bills:

To authorise Pitman Lumpkin, of Chambers county, as guardian of John M. Vernon, &c., to purchase negro slaves: and

To authorise James Coon to pay taxes in Coffee county for property owned in Covington.

And that the Senate had rejected House bills:

To establish and incorporate the Bascomb Female Institute at Huntsville, in the county of Madison: and

To require of the county of Dale to make semi-annual reports, and for other purposes.

Also, that the Senate had resolved with the concurrence of the House, to elect a solicitor for the fourth judicial circuit on Wednesday next, at 12 M. The House concurred in the resolution.

Also, of the concurrence of the Senate in the resolution from the Senate, as amended by the House, to elect a solicitor for the third judicial circuit on this day.

Reports.

Mr. Goldsby, from the Committee on Propositions and Grievances, to whom was referred the bill to legalise a certain marriage therein named, reported adversely thereto.

On motion of

Mr. Cox, the report was laid on the table and the bill referred to the Committee on Divorce and Alimony.

Mr. Goldsby, from the same committee, to whom was referred the petition of Joseph H. Dickson, reported a bill for the relief of Joseph H. Dickson. Said bill was read and ordered to a second reading.

Mr. Goldsby, from the same committee, to whom was referred the petition of Elsberry Fails, reported a bill for the relief of Elsberry Fails. Said bill was read and ordered to a second reading.

Mr. Goldsby, from the same committee, to whom was referred the account of Mark Boulware, reported the same back and recommended its referrence to the Committee on Accounts. The report was concurred in.

Mr. Goldsby, from the same committee, to whom was referred the petition of James Chandler, reported a bill for the relief of James Chandler. Said bill was read and ordered to a second reading.

Mr. M. A. King, from the Committee on Corporations, to whom was referred the bill to incorporate the Tuscaloosa Marine and Fire Insurance Company, reported the same back with an amendment striking out the eighth section. Said amendment was concurred in and the bill ordered to be engrossed for a third reading.

Mr. Turner, from the Committee on Public Printing, to whom was referred the resolution requiring said committee to enquire into the probable time and cost required to print one hundred and thirty-three copies of the new code, reported that the new code will probably make eight hundred pages, about the size of the Governor's message; the printing will cost one dollar and 50-100 per page, and that the first part can be delivered within twelve working days after copy furnished, and the entire work by the 10th of January next.

Mr. Webb offered the following resolution:

Resolved, That with the concurrence of the Senate, the two Houses will assemble in the hall of the House on Tuesday, (tomorrow,) for the purpose of electing a solicitor for the first judicial circuit of the State.

On motion of

Mr. Jones, the resolution was amended by striking out Tuesday and inserting Wednesday, and the resolution as amended was adopted.

Mr. Watkins offered the following resolution, which was adopted:

Resolved, That the chairman of the Committee on Privileges and Elections be empowered to procure from the Secretary of State all papers in his office appertaining to the election contested from the county of Dale, and that said Secretary of State be authorised to deliver said papers to the chairman of said committee.

Special Order.

The House then proceeded to the consideration of the special order for the day, it being the resolution offered on the 20th inst. by Mr. Phillips in relation to the new code.

The question recurred on the motion of Mr. Hall to amend said resolution by substitute.

After some time spent in discussion, the Senate, by invitation, appeared in the hall of the House, and the two Houses in convention proceeded to the election of a solicitor for the third judicial circuit, Messrs. Wm. S. Mudd, Rufus W. Cobb, John W. Carpenter and Chelsea M. Cook being in nomination.

Those who voted for Mr. Mudd are:

Messrs. President,
Bibb,
Cocke
Gunn,
Johnson,
O'Neal,
Perrin,
Messrs. Patton,
Ricks,
Stephenson,
Saunders,
Tarrant, and
Watrous,
of the Senate—13.

Messrs. Speaker,
Ashley,
Bass,
Benbow,
Booth,
Brown,
Byrd,
Carlilse,
Cox,
Critcher,
Nich. Davis,
Earnest,
Freeman,
Holly.
Hopkins,
F. S. Jackson,
Kavanaugh,
Larkin,
Lea,
Liddell,
Messrs. Moss,
Oates.
Prentice,
Presley,
Roper,
John Smith.
W. M. Smith
Staton,
Sterrett,
Snowden,
Tarrant,
Walker,
Walton,
Warren,
Watkins,
Webb,
G. W. Williams,
S. Williams,
Williamson, and
Woolsey,
of the House—40

Those who voted for Mr. Cobb are:

Messrs. Alldridge,
Frazier,
Fleming,
Garrett,
Messrs. Heflin, and
Kelley,
Matthews, and
Walker,
of the Senate—8.

Messrs. Adams,
Allen,
Allison,
Austin,
Bennett,
Boon,
Bradford,
Bulger,
Campbell,
Nathaniel Davis,
W. P. Davis,
Hendree,
Messrs. M. A. King,
Majors,
Moragne,
Nicks,
Pool,
Price,
Reaves,
Rowe,
Shelley,
Stephens, and
Wilson,
of the House—23.

Those who voted for Mr. Cook are:

Messrs. Flewellin,
Jemison,
Messrs. Leslie, and
Malone,
of the Senate—4.

Messrs. Banks,
Beck,
Benham,
Bussey,
Clements,
Coleman,
Cooper,
J. W. Davis,
Messrs. Goldsby,
J. W. W. Jackson,
Manasco,
McCaskill,
McCollum,
Shorter, and
Wallace,
of the House—15.

Those who voted for Mr. Carpenter are:

Messrs. Crenshaw,
James,
Jones,
Pearson,
Messrs. Storrs,
Toulmin, and
Winston,
of the Senate—7.

Messrs. Armstrong,
Gladney,
W. C. Graham,
Hall,
Henshaw,
Howard,
Jones,
P. King,
McAllister,
Messrs. McMullen,
Petty,
Phillips,
Robinson,
Stone,
Turner,
Whitsitt, and
P. Williams,
of the House—18.

Neither of the candidates having received a majority of the votes given, the convention proceeded to a second ballot.

Those who voted for Mr. Mudd are:

Messrs. President,
Bibb,
Cocke,
Gunn,
Johnson,
O'Neal,
Perrin,
Messrs. Patton,
Ricks,
Stephenson,
Saunders,
Tarrant, and
Watrous,
of the Senate—13.

Messrs. Speaker,
Ashley,
Bass,
Benbow,
Booth,
Brown,
Byrd,
Carlisle,
Cox,
Messrs. Nich. Davis,
Earnest,
Freeman,
Holley,
Hopkins,
F. S. Jackson,
Kavanaugh,
Larkin,
Lea,

Messrs. Liddell,
Moss,
Oates,
Presley,
Roper,
John Smith,
W. M. Smith,
Sterrett,
Snowden,
Tarrant,
Messrs. Walker,
Watson,
Warren,
Watkins,
Webb,
G. W. Williams,
S. Williams,
Williamson, and
Wilson.
of the House—38.

Those who voted for Mr. Cobb are:

Messrs. Alldridge,
Frazier,
Fleming,
Flewellin,
Garrett,
Heflin,
Kelly,
Matthews,
Walker,
of the Senate—7.

Messrs. Adams,
Allen,
Allison,
Austin,
Bennett,
Brown,
Bradford,
Bulger,
Campbell,
Critcher,
James W. Davis,
Nathaniel Davis,
W. P. Davis,
Messrs. Goldsby,
Hendree,
M. A. King,
Majors,
Moragne,
Nicks,
Pool,
Prentice,
Price,
Reaves,
Rowe,
Shelley,
Stephens, and
Wilson.
of the House—36.

Those who voted for Mr. Cook are:

Messrs. Jemison,
Messrs. Leslie, and
Malone of the Senate—3.

Messrs. Banks,
Beck,
Benham,
Bussey,
Clements,
Coleman,
Cooper,
Messrs. J. W. W. Jackson,
Manasco,
McCaskill,
McCollum,
Shorter, and
Walker,
of the House—13.

Those who voted for Mr. Carpenter are:

Messrs. Crenshaw,
James,
Jones,
Pearson,
Messrs. Storrs,
Toulmin, and
Winston,
of the Senate—7.

Messrs. Armstrong,
Gladney,
Glover,
W. C. Graham,
Hall,
Henshaw,
Howard,
Jones,
Porter,
P. King,

Messrs. McAllister,
McMullen,
Petty,
Phillips,
Robinson,
Stone,
Turner,
Whitsitt, and
P. Williams,
of the House—18.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to a third ballot.

Those who voted for Mr. Mudd are:

Messrs. President,
Alldridge,
Bibb,
Cocke,
Gunn,
Johnson,
O'Neal,

Messrs. Perrin,
Patton,
Ricks,
Stephenson,
Saunders,
Tarrant, and
Watrous,
of the Senate—14.

Messrs. Speaker,
Ashley,
Bass,
Benbow,
Booth,
Brown,
Byrd,
Carlisle,

Messrs. Cox,
Critcher,
N. Davis,
Earnest,
Freeman,
Holly,
Hopkins,
F. S. Jackson,

Messrs. Lea,
Liddell,
Moss,
Oates,
Prentice,
Presley,
Roper,
John Smith,
W. M. Smith,
Staton,

Messrs. Sterrett,
Snowden,
Turner,
Walker,
Walton,
Warren,
Watkins,
Webb,
G. W. Williams, and
Woolsey,
of the House—40.

Those who voted for Mr. Cobb are:

Messrs. Frazier,
Fleming,
Garrett,

Messrs. Kelly,
Matthews, and
Walker,

Heflin,
of the Senate—8.

Messrs. Adams,
Allen,
Allison,
Austin,
Bennett,
Boon,
Bradford,
Bulger,
Campbell,
N. Davis,
W. P. Davis,
Hendree,
Messrs. M. A. King,
Majors,
Moragne,
Nicks,
Pool,
Price,
Reaves,
Rowe,
Shelly,
Stephens, and
Wilson,
of the House—22.

Those who voted for Mr. Cook are:

Messrs. Jemison,
Leslie,
Mr. Malone,
of the Senate—3.

Messrs. Banks,
Beck,
Benham,
Clements,
Coleman,
Cooper,
J. W. Davis,
Goldsby,
Messrs. Henshaw,
J. W. W. Jackson,
Manasco,
McCollum,
Shorter, and
Wallace,
of the House—15.

Those who voted for Mr. Carpenter are:

Messrs. Armstrong,
Bussey,
Gladney,
Glover,
W. C. Graham,
Messrs. Hall,
Howard,
Jones,
P. King,
McAllister,
Messrs. McMullen,
Petty,
Phillips,
Robinson,
Stone,
Messrs. Turner,
Whitsitt, and
P. Williams,
of the House—18.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fourth time.

Those who voted for Mr. Mudd are:

Messrs. President,
Aldridge,
Bibb,
Cocke,
Gunn,
Johnson,
O'Neal, Perrin,
Messrs. Patton,
Ricks,
Stephenson,
Snowden,
Tarrant, and
Watrous,
of the Senate—14.

Messrs. Speaker,
Ashley,
Bass,
Benbow,
Booth,
Brown,
Byrd,
Carlisle,
Cox,
Nicholas Davis.
Earnest,
Freeman,
Holley,
Hopkins,
F. S. Jackson,
Kavanaugh,
Larkin,
Lea,
Liddell,
Moss,

Messrs. Oates,
Presley,
Roper,
John Smith,
W. M. Smith,
Staton,
Sterrett,
Snowden,
Tarrant,
Walton,
Walker,
Warren,
Watkins,
Webb,
G. W. Williams,
S. Williams,
Williamson, and
Woolsey,
of the House—38.

Those who voted for Mr. Cobb are:

Messrs. Frazier,
Fleming,
Garrett,
Heflin,

Messrs. Kelley,
Mathews,
Walker,
of the Senate—7.

Messrs. Adams,
Allen,
Allison,

Bennett,
Boon,
Bradford,

Messrs. Bulger,
Campbell,
Critcher,
Nathanial Davis,
W. P. Davis,
Hendree,
M. A. King,
Majors,
Maragne,
Nicks,

Messrs. Pool,
Prentice,
Price,
Reaves,
Rowe,
Shelley,
Stevens,
Wilson,
of the House.—25.

Those who voted for Mr. Cook are:

Messrs. Jemison,
Leslie,

Messrs. Cooper,
Malone,
of the Senate.—3.

Messrs. Banks,
Beck,
Benham,
Clements,

Messrs. Coleman,
Henshaw,
J. W. W. Jackson,

Messrs. P. King,
Menasco,
McCaskill.

Messrs. McCollum,
Shorter,
of the House.—14.

Those who voted for Mr. Carpenter are:

Messrs. Crenshaw,
Flewellen,
James,
Jones,
Pearson,

Messrs. Storrs,
Toulman,
Winston,
of the Senate.—8.

Messrs. Armstrong,
W. C. Graham,
Hall,
Bussey,
Gladney,
Glover,
Goldsby,
Howard,
Jones,
McAllister,

Messrs. McMullen,
Pettey,
Phillips,
Robertson,
Stone,
Turner,
Whitsitt,
P. Williams,
of the House.—18.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fifth time, the name of Mr. Cook being withdrawn.

Those who voted for Mr. Mudd are:

Messrs. President,
Aldridge,
Bibb,
Cocke,
Gunn,
Messrs. Perrin,
Patton,
Ricks,
Stephens,

Messrs. Jemison,
Johnson,
Leslie,
Malone,
O'Neal,
Messrs. Saunders,
Tarrant, and
Watrous,
of the Senate.—17.

Messrs. Speaker,
Ashley,
Banks,
Bass,
Beck,
Benbow,
Benham,
Booth,
Byrd,
Carlisle,
Cox,
Nathaniel Davis,
Earnest,

Messrs. Freeman,
Holley,
Hopkins,
F. S. Jackson,
Kavanaugh,
Larkin,
Lea,
Liddell,
McCollum,
Moss,
Oates,
Prentice,
Presley,

Messrs. Roper,
John Smith,
W. M. Smith,
Staton,
Sterrett,
Snowden,
Tarrant,
Walker,
Wallace,
Messrs. Walton,
Warren,
Watkins,
Webb,
Geo. W. Williams,
Williamson, and
Woolsey,
of the House.—43.

Those who voted for Mr. Cobb are:

Messrs. Frazier,
Fleming,
Garrett,
Heflin,
Messrs. Kelly,
Mathews, and
Walker,
of the Senate.—7.

Messrs. Adams,
Allen,
Allison,
Austin,
Bennett,
Boon,
Bradford,
Brown,
Bulger,
Campbell,
Coleman,
Cooper,
Critcher,
J. W. Davis,
Nathaniel Davis,
Messrs. W. P. Davis,
Hendree,
M. A. King,
Manasco,
Majors,
Moragne,
Nicks,
Pool,
Reaves,
Rowe,
Shelley,
Stevens, and
Wilson,
of the House.—28.

Those who voted for Mr. Carpenter are:

Messrs Crenshaw,
Flewellen,
James,
Jones.
Messrs. Pearson,
Storrs, and
Toulmin,
of the Senate.—8.

Messrs Armstrong.
Bussey,
Clements,
Gladney,
Glover,
Goldsby.
W. C. Graham,
Hall.
Henshaw,
Howard,
J. W. W. Jackson,
Jones,
King,
Messrs. McAllister,
McCaskill.
McMullen,
Petty,
Phillips,
Robertson,
Shorter,
Stone,
Turner,
Whitsitt, and
P. Williams,
of the House.—24.

Neither of the candidates having received the whole numbe of votes given, the convention proceeded to ballot a sixtl time.

Those who voted for Mr. Mudd are:

Messrs. President,
Aldridge,
Bibb,
Crenshaw,
Cocke,
Gunn,
Jemison,
Johnson,
Leslie,
Messrs. O'Neal,
Brown,
Patton,
Ricks,
Stephenson,
Saunders,
Tarrant, and
Watrous,
of the Senate.—16.

Messrs. Speaker,
Ashley,
Banks,
Bass,
Beck,
Benbow,
Benham,
Booth,
Brown,
Byrd,
Carlisle,
Cox,
Nich. Davis,
Earnest,
Freeman,
Henshaw,
Messrs. Holley,
Hopkins,
P. S. Jackson,
Larkin,
Lea,
Liddell,
Moss,
McCollum,
Oates,
Presley,
Roper,
John Smith,
W. M. Smith,
Staton,
Sterrett,
Snowden,
Messrs. Tarrant,
Walker,
Wallace,
Walton,
Warren,
Watkins,
Messrs. Webb,
G W. Williams,
S. Williams,
Williamson, and
Woolsey,
of the House.—43.

Those who voted for Mr. Cobb are:

Messrs. Frazier,
Fleming,
Garrett
Heflin,
Kelley,
Messrs. Malone,
Mathews, and
Walker,
of the Senate.—8.

Messrs. Adams,
Allen,
Austin,
Bennett,
Boon,
Bradford,
Messrs. Bulger,
Campbell,
Coleman,
Critcher,
J. W Davis,
Nathaniel Davis,

Messrs. Wm. P. Davis,
Hendree,
Kavanaugh,
M. A. King,
Majors,
Manasco,
Moragne,
Nicks,

Messrs. Pool,
Price,
Reaves,
Rowe,
Shelley,
Stephens, and
Wilson,
of the House.—27.

Those who voted for Mr. Carpenter are:

Messrs. Crenshaw,
Flewellen,
James,
Jones,
Pearson,

Messrs. Storrs,
Toulmin, and
Winston,
of the Senate—8.

Messrs. Allen,
Armstrong,
Bussey,
Clements,
Gladney,
Glover,
Goldsby,
W. C Graham,
Hall.
Howard,
J. W. W. Jackson.
James,
P. King,

Messrs. McAllister,
McCaskill,
McMullen,
Pettey,
Phillips,
Robertson,
Shorter,
Stone,
Turner.
Whitsitt, and
P. Williams,
of the House—24.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to a seventh ballot.

Those who voted for Mr. Mudd are:

Messrs. President,
Aldridge,
Bibb,
Cocke,
Fleming,
Gunn,
Jemison,
Johnson,
Leslie,

Messrs. O'Neal,
Perrin,
Patton,
Ricks,
Stephenson,
Saunders,
Tarrant, and
Watrous,
of the Senate—17.

Messrs. Speaker,
Ashley,
Banks,
Bass,
Beck,
Benbow,
Benham,

Messrs. Booth,
Brown,
Byrd,
Carlisle,
Cooper,
Cox,
Nich. Davis,

Messrs. Earnest,
Freeman,
Henshaw,
Holly,
Hopkins,
F. S. Jackson,
Larkins,
Lea,
Liddell,
McCollum,
Moss,
Oates,
Presley,
Roper,
John Smith,
W. M. Smith,

Messrs. Staton,
Sterrett,
Snowden,
Tarrant,
Walker,
Wallace,
Walton,
Warren,
Watkins,
Webb,
G. W. Williams,
S Williams.
Williamson, and
Woolsey,
of the House—44.

Those who voted for Mr. Cobb are:

Messrs. Frazier,
Garrett,
Heflin,
Kelly,

Messrs. Mathews, and
Walker,
of the Senate—6.

Messrs. Adams,
Allen,
Austin,
Bennett,
Boon,
Bradford,
Bulger,
Campbell,
Coleman,
Messrs. Manasco,
Moragne,
Nicks,
Pool,
Prentice,
Price,
Reaves,

Messrs. Critcher,
J. W. Davis,
Nathaniel Davis,
Wm. P. Davis,
Hendree,
Kavanaugh,
M. A. King,
P. King,
Majors,
Messrs. Rowe,
Shelley,
Shorter,
Stephens, and
Wilson,
of the House—30.

Those who voted for Mr. Carpenter are:

Messrs. Crenshaw,
Flewellen,
James,
Jones,
Malone,

Messrs. Pearson,
Storrs,
Toulmin, and
Winston,
of the Senate—9.

Messrs. Allen,
Armstrong,
Bussey,
Clements,

Messrs. Gladney,
Glover,
Goldsby,
W. C. Graham,

Messrs. Hall,
Howard,
J. W. W. Jackson,
Jones,
McAllister,
McCaskill,
McMullen, Pettey,
Messrs. Phillips,
Robertson,
Stone,
Turner,
Whitsitt, and
P. Williams,
of the House—22.

On motion of Mr. Phillips, the convention then adjourned until to-morrow, at 12 M. The Senate withdrew, and the House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, November 25, 1851.

The House met pursuant to adjournment.

On motion of Mr. Nathaniel Davis, the morning business was suspended for the purpose of proceeding to the consideration of the special order, it being the resolution of Mr. Phillips in relation to the new code.

The question recurred on the motion of Mr. Hall to amend said resolution by way of substitute as passed on the 20th.

On motion of Mr. Nathaniel Davis, Mr. Hall's substitute was laid on the table.

Mr. Nathaniel Davis moved to suspend the present consideration of Mr. Phillips' resolution to enable him to offer the following resolution:

Resolved, That one hundred and fifty copies of the code reported to the Governor by the Hon. Gecrge Goldthwaite, Hon. J. J. Ormond and Hon. A. P. Bagby, commissioners, be printed for the use of the general assembly.

Mr. Cooper moved to amend said resolution as follows: By adding thereto the words, "the first part to be printed within twelve working days after the copy is furnished, the second part within twelve working days after the completion of the first. and so on until the entire code be printed."

Mr. Webb moved to amend Mr. Cooper's amendment by adding thereto the words, "and that the printing thereof be let out to the lowest bidder by the Secretary of State."

On motion of Mr. Lea, the further consideration of the business before the House was suspended to enable him to make a report from the Joint Committee on Joint Rules.

Mr. Lea then reported that the Joint Committee on Joint Rules recommend the adoption of the joint rules of the last session. Said report was concurred in.

The hour of 12 M. having arrived, the Senate, by invitation, appeared within the hall of the House, and the two Houses in convention resumed the election of a solicitor for the third judicial circuit, the name of Mr. Cook having been withdrawn.

Those who voted for Mr. Mudd are, Messrs. President, Bibb, Cocke, Gunn, Jemison, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson, Saunders, Tarrant and Watrous of the Senate—16. Messrs. Speaker, Allison, Ashley, Banks, Bass, Beck, Benbow, Benham, Booth, Brown, Byrd, Carlisle, Cooper, Cox, Earnest, Freeman, Gonder, N. S. Graham, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, Larkin, Lea, Liddell, McCollum, Moss, Nicks, Oates, Prentice, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, P. Williams, Williamson and Woolsey, of the House—48.

Those who voted for Mr. Cobb are, Messrs. Aldridge, Frazier, Fleming, Garrett, Heflin, Kelly and Walker, of the Senate—7. Messrs. Adams, Allen, Austin, Bennett, Boon, Bradford, Bulger, Campbell, Coleman, Critcher, James W. Davis, Nathaniel Davis, W. P. Davis, Hall, Hendree, M. A. King, Majors, Manasco, Moragne, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith and Wilson, of the House—27.

Those who voted for Mr. Carpenter are, Messrs. Crenshaw, Flewellin, James, Jones, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—9 Messrs. Armstrong, Bussey, Clements, Gladney, Glover, Goldsby, W. C. Graham, Howard, J. W. W. Jackson, Jas. P. King, McAllister, McCaskill, McMullen, Pettey, Phillips, Robertson, Stone, Turner, Whitsitt, G. W. Williams and P. Williams, of the House—22.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot the ninth time, the name of Mr. Cook having been again presented by Mr. Clements.

Those who voted for Mr. Mudd are, Messrs. President, Bibb, Crenshaw, Cook, Gunn, Jemison, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson, Saunders, Tarrant and Walker of the Senate—17. Messrs. Speaker, Allison, Ashley, Bass, Beck, Benbow, Benham, Booth, Byrd, Carlisle, Cooper, Cox, Critcher, Earnest, Freeman, Glover, Gonder, N. S. Graham, Hendree, Holley, Hopkins, F. S. Jackson, Kavanaugh, Larkin, Lea, Liddell, McCollum, Moss, Nicks, Oates, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Tarrant, Walker, Warren, Watkins Webb, S. Williams, Williamson and Woolsey, of the House—47.

Those who voted for Mr. Cobb are, Messrs. Aldridge, Frazier, Fleming, Garrett, Heflin, Jones, Kelly and Walker, of the Senate—8. Messrs. Adams, Allen, Austin, Bennett, Boon, Brown, Bradford, Bulger, Campbell, Nat. Davis, W. P. Davis, Hall, M. A. King, Majors, Moragne, Pool, Prentice, Price, Reaves, Rowe, W. M. Smith, Stephens and Wilson, of the House—22.

Those who voted for Mr. Carpenter are, Messrs. Flewellin, James, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—6. Messrs. Bussey, Howard, J. W. W. Jackson, Jones, McAllister, McCaskill, McMullen, Pettey, Stone, Turner, Whitsitt and G. W. Williams, of the House—12.

Those who voted for Mr. Cook are, Messrs. Armstrong, Banks, Brown, Clements, Coleman, J. W. Davis, Gladney, Goldsby, P. King, Manasco, Phillips, Robinson, Shorter, Walker and P. Williams, of the House—15.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a tenth time, the name of Mr. Carpenter being withdrawn.

Those who voted for Mr. Mudd are, Messrs. President, Aldridge, Bibb, Crenshaw, Cocke, Fleming, Gunn, Johnson, Jemison, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson, Storrs, Saunders, Tarrant and Watrous, of the Senate—20. Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Bass, Benbow, Benham, Booth, Brown, Byrd, Carlisle, Cooper, Cox, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, Lea, Liddell, McCollum, Moss, Nicks, Oates, Petty, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, G. W. Williams, S. Williams, Williamson and Woolsey, of the House—41: 20—71.

Those who voted for Mr, Cobb are, Messrs. Frazier, Garrett, Heflin, James, Jones, Kelley, Matthews, Toulmin and Walker, of the Senate—6. Messrs. Adams, Allen, Austin, Bennett, Boon, Bradford, Bulger, Campbell, Critcher, Nathaniel Davis, W. P. Davis, W. S. Graham, Hall, Hendree, J. W. W. Jackson, M. A. King, Majors, Moragne, McAllister, McMullen, Phillips, Pool, Price, Reaves, Rowe, W. M. Smith, Stephens and Turner, of the House—29: 9—38.

Those who voted for Mr. Cook are, Messrs. Pearson and Winston, of the Senate—2. Messrs. Bussey, Clements, Coleman, J. W. Davis, Gladney, Goldsby, W. C. Graham, Howard, Jones, P. King, Manasco, McCaskill, Robinson, Shorter, Stone, P. Williams and Wilson, of the House—17: 2—19.

Mr. Mudd having received a majority of the whole number of votes given, was declared by the Speaker to have been duly and constitutionally elected solicitor of the third judicial circuit for the term prescribed by law.

The Senate then withdrew, and the House resumed the consideration of its appropriate business.

The special order for 12 M., being the engrossed bill to amend the charter of the Southern Bank of Alabama, was postponed, on motion of Mr. Nathaniel Davis, for the purpose of resuming the consideration of the resolution of Mr. Phillips, in relation to the code.

The question recurred on the motion of Mr. Webb to amend the amendment of Mr. Cooper to the resolution of Mr. Nathaniel Davis.

Mr. Gonder moved to adjourn until to-morrow, at 9 o'clock, which motion was lost. Yeas 18; nays 74.

Those who voted in the affirmative are, Messrs. Allison, Armstrong, Bennett, Boon. J. W. Davis, Goldsby, Gonder. Holley. F. S. Jackson, M. A. King, McCollum, Pettey, Wesley M. Smith, Turner, Geo. W. Williams, Seaborn Williams, Williamson and Woolsey.

Those who voted in the negative are. Messrs. Speaker, Adams, Allen, Ashley, Austin, Banks, Bass, Benton. Benbow. Booth, Bradford, Brown. Bulger, Bussey, Byrd, Campbell, Carlisle, Clements, Coleman, Cooper, Cox, Nathaniel Davis, W. P. Davis. Earnest. Freeman, Gladney, Glover. N. S. Graham, Hall, Hendree, Hopkins, Howard, J. W. W. Jackson. Jones. Porter King, Larkin, Lea, Liddell, Majors, Manasco. Moragne, McAllister, McCaskill, McMullen. Moss, Nicks, Oates, Phillips, Pool, Presley, Price. Reaves, Robertson, Roper. Rowe. Shelley. Shorter. John Smith, Staton, Stephens, Sterrett. Snowden. Stone. Tarrant. Walker, Wallace. Walton. Warren, Watkins, Webb, Whitsitt, Price Williams and Wilson.

Mr. Byrd moved to lay upon the table the resolution of Mr. Phillips and the amendments thereto.

Mr. Price Williams called for a division of the question, which was first taken on Mr. Webb's amendment, when the same was laid on the table.

Then on the amendment of Mr. Nathaniel Davis, and said motion was lost.

And pending the question of the adoption of the amendment of Mr. Cooper to the substitute of Mr. Davis,

The House adjourned until to-morrow morning, at 10 o'clock.

WEDNESDAY, November 26, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House the report of Mr. Francis S. Lyon, commissioner and trustee, &c.

Mr. Gonder moved to lay said report on the table, and that two thousand copies thereof be printed for the use of the House.

Mr. Glover moved to amend said motion by striking out two and inserting five, which motion prevailed; and the motion of Mr. Gonder as amended prevailed.

Mr. Cooper moved to suspend the morning business for the purpose of

1st. Taking from the general order the bill to provide for the comfort of citizens visiting the State capitol.

2d. To enable the Committee on the State Capitol to make a report.

3d. To resume the consideration of the resolution of Mr. Nathaniel Davis in relation to printing the code.

Mr. Moss called for a division of the question on the last named proposition, and the motion prevailed. Yeas 49; nays 23.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Austin, Banks, Beck, Booth, Bradford, Bulger, Bussey, Boyd. Clements, Cooper. Cox, Critcher, J. W. Davis, Nathaniel Davis, Nich. Davis. W. P. Davis, Earnest, Freeman, Gladney. Glover, Gonder, N. S. Graham, Hall, Hendree, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, Kavanaugh, Larkin, Lea. Liddell, Majors, Moragne, McAllister, McCaskill, McMullen, Oates, Pettey, Phillips, Pool, Price, Robinson, Roper, Rowe. Shorter, John Smith, W. M. Smith. Staton, Stephens, Sterrett. Stone, Tarrant, Walker. Wallace, Warren, Webb, Whitsitt, George W. Williams, Seaborn Williams, Wilson and Woolsey---69.

Those who voted in the negative are, Messrs. Armstrong, Ashley, Bass, Benbow, Benham, Boon, Brown, Campbell, Carlisle, Coleman, M. A. King, P. King, Manasco, McCollum, Moss, Nicks, Prentice, Presley. Reaves, Shelley, Snowden, Walton and Price Williams—23.

The bill to provide for the comfort of citizens visiting the State capitol was then taken from the general orders and read the second time, and the constitutional rule being suspended, was read the third time forthwith and passed. Ordered that the same be sent forthwith to the Senate.

Mr. Allen, from the Committee on the State Capitol, to whom was referred the resolution in relation to providing stoves for the use of the hall, reported the following resolution, which was adopted:

Resolved, That the Secretary of State be directed to cause two suitable stoves to be placed one in the north-east and the other in the north-west corner of the hall, the same to be provided for in the general appropriation bill.

The House then proceeded to the consideration of the resolution of Mr. Nathaniel Davis in relation to printing the new code.

The question recurred on the adoption of the amendment heretofore proposed by Mr. Cooper.

Mr. Nathaniel Davis moved the previous question.

Mr. M. A. King moved to lay said resolution and amendment on the table, which motion was lost. Yeas 45; nays 49.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Armstrong, Ashley, Bass, Bennett, Boon, Booth, Brown, Boyd, Carlisle, Clements, Coleman, Glover, Gonder, W. C. Graham, Hall, F. S. Jackson, Jones, Kavanaugh, M. A. King, Lea, Majors, Pettey, Phillips, Pool, Presley, Roper, Shelley, John Smith, Staton, Stephens, Sterrett, Turner, Walker, Wallace Walton, Warren, Webb, Whitsitt, Price Williams, Williamson and Wilson.--45.

Those who voted in the negative are, Messrs. Allen, Austin, Banks, Beck, Benbow, Benham, Bradford, Bulger, Bussey, Campbell, Cooper, Cox, Critcher, James W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, N. S. Graham, Hendree, Holley, Hopkins, Howard, J W. W. Jackson, Porter King, Larkin, Liddell, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Oates, Prentice, Price, Reaves, Robertson, Rowe, Shorter, W. M. Smith, Snowden, Tarrant, Watkins, Geo. W. Williams and Woolsey

The question then recurred on the motion of Mr. Nathaniel Davis for the previous question, and the call was not sustained. Yeas 22; nays 49.

Those who voted in the affirmative are, Messrs. Armstrong, Bass, Benbow, Benham, Bradford, Brown, Coleman, Critcher, Jas. W. Davis, Nathaniel Davis, Freeman, Gladney, Holley, Hopkins, F. S. Jackson, Larkin, Liddell, Manasco, Bass, Brown, W. M. Smith and Geo. W. Williams.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Allison, Ashley, Austin, Banks, Beck, Bennett, Boon, Bussey, Boyd, Coleman, Cooper, Cox, Nich. Davis, W. P. Davis, Earnest, Glover, Gonder, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Howard, Jones, Kavanaugh, M. A. King, Porter King, Lea, Majors, Moragne, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Presley, Price, Reaves, Robertson, Roper, Shelley, Shorter, Geo. Smith, Staton, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, Price Williams, S. Williams, Williamson, Wilson and Woolsey.

Mr. Boyd moved the indefinite postponement of the resolution and amendment.

Mr. Nathaniel Davis moved the postponement until the first Monday in January.

Pending which question, the hour of 12 M. having arrived, the Senate, by invitation, appeared within the hall of the House, and the two Houses in convention proceeded to the election of a chancellor of the middle division, Messrs. James B. Clarke and Stephen F. Hale, of Greene county, James H. Campbell, of Dallas, George D. Hooper, of Russell, and John T. Leftwick, of Tallapoosa, being in nomination.

Those who voted for Mr. Clarke are, Messrs. Aldridge, Frazier, Flewellin, James, Kelly, Malone, Mathews, Pearson, Stephenson, Storrs, Toulmin and Winston, of the Senate—12. Messrs. Speaker, Armstrong, Austin, Beck, Boon, Brown, Byrd, Clements, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Gladney, Goldsby, Henshaw, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, Oates, Prentice, Robertson, Shorter, W. M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Whitsitt, P. Williams, Williamson and Wilson, of the House—37: 12—49.

Those who voted for Mr. Hale are, Messrs. Crenshaw, Cocke, Jemison, Jones, Leslie, O'Neal, Perrin, Patton, Rix and Williams, of the Senate—10. Messrs. Ashley, Benbow, Booth, Bradford, Cooper, Glover, Gonder, Holley, Hopkins, Larkin, McCollum, Pettey, Roper, Shelley, Staton, Snowden, Walker, Wallace, Warren, Watkins, Webb and Woolsey, of the House—23: 10—33.

Those who voted for Mr. Hooper are, Messrs. President, Baker, Bibb, Fleming, Gunn, Johnson and Tarrant, of the Senate—7. Messrs. Allison, Bass, Benham, Bennett, Carlisle, Nich. Davis, Freeman, Hendree, F. S. Jakson, Kavanaugh, M. A. King, Liddell, Moss, Phillips, Presley, John Smith, Walton and S. Williams, of the House—18: 7—25.

Those who voted for Mr. Campbell are, Mr. Saunders, of the Senate. Messrs. Bussey, Campbell, W. P. Davis, W. C. Graham, Hall, Howard, McAllister, McCaskill, McMullen and George Williams, of the House—10: 1—11.

Those who voted for Mr. Leftwick are, Messrs. Garrett, Heflin and Walker, of the Senate—3. Messrs. Allen, Bulger, N. S. Graham, Nicks, Pool, Price, Reaves and Rowe, of the House—9: 3—12.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Clarke are, Messrs. Aldridge, Frazier, Fleming, Flewellin, James, Johnson, Malone, Mathews, Pearson, Stephenson, Storrs, Toulmin and Winston, of the Senate—13. Messrs. Speaker, Armstrong, Austin, Beck, Brown, Byrd, Clements, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Gladney, Goldsby, Gonder, N. S. Graham, Henshaw, Howard, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, Oates, Prentice, Robertson, Shorter, W. M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Whitsitt, P. Williams, Williamson and Wilson, of the House—40: 13—53.

Those who voted for Mr. Hale are, Messrs. Crenshaw, Cocke, Jemison, Jones, Leslie, O'Neal, Perrin, Patton, Rix and Watrous, of the Senate—10. Messrs. Ashley, Banks, Benbow, Booth, Bradford, Cooper, Earnest, Glover, Holley, Hopkins, Larkin, McCollum, Pettey, Roper, Shelley, Staton, Snowden, Walker, Wallace, Warren, Watkins, Webb and Woolsey, of the House —23: 10—33.

Those who voted for Mr. Hooper are, Messrs. President, Baker, Bibb, Gunn, Kelly and Tarrant, of the Senate—6. Messrs. Davis, Freeman, Hendree, F. S. Jackson, Kavanaugh, M. A. King, Moss, Phillips, Presley, John Smith, Walton and S. Williams, of the House—17: 6—23.

Those who voted for Mr. Campbell are, Mr. Saunders of the Senate. Messrs. Adams, Bussey, Campbell, W. C. Graham, Hall, McAllister, McCaskill, McMullen and G. W. Williams, of the House—9: 1—10.

Those who voted for Mr. Leftwick are, Messrs. Garrett, Heflin and Walker, of the Senate—3. Messrs. Allen, Bulger, W. P. Davis, Nicks and Pool—5: 3—8.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Clarke are, Messrs. Aldridge, Frazier, Fleming, Flewellin, James, Jones, Jackson, Malone, Mathews, Pearson, Stephens, Stone, Saunders, Toulmin, Walker and Winston, of the Senate—16. Messrs. Speaker, Allen, Armstrong, Austin, Booth, Boon, Brown, Byrd, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, Gladney, Goldsby, Gonder, N. S. Graham. Henshaw, Howard, J. W. W. Jackson, Jones, M. A. King, Porter King, Lea, Majors, Manasco, Moragne, Pool, Prentice, Reaves, Robertson, Shorter, Wesley M. Smith, Stephenson, Sterrett, Stone, Tarrant, Turner, Whitsitt, P. Williams and Wilson, of the House—42 : 16—58.

Those who voted for Mr. Hale are, Messrs. Bibb, Crenshaw, Cocke, Jemison, Leslie, O'Neal, Perrin, Patton, Ricks and Watrous, of the Senate—10. Messrs. Adams, Ashley, Banks, Benbow, Booth, Bradford, Cooper, W. P. Davis, Earnest, Glover, Holley, Hopkins, Larkin, McCollum, Pettey, Price, Roper, Shelley, Staton, Snowden, Wallace, Watkins, Webb and Woolsey, of the House—25: 10—35.

Those who voted for Mr. Hooper are, Messrs. President, Baker, Gunn, Kelly and Tarrant, of the Senate—5. Messrs. Allison, Bass, Benham, Bennett, Carlisle, Critcher, Nich. Davis, Freeman, Hendree, F. S. Jackson, Kavanaugh, Liddell, Moss, Oates, Phillips, Presley, John Smith, Walton, Warren and Seaborn Williams of the House—20: 5—25.

Those who voted for Mr. Leftwick are, Messrs. Garrett and Heflin, of the Senate—2. Messrs. Bulger, Nicks and Rowe, of the House—3: 2—5.

Those who voted for Mr. Campbell are, Messrs. Bussey, Campbell, W. C. Graham, Hall, McAllister, McCaskill, McMullen and G. W. Williams, of the House—8.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fourth time, the names of Messrs. Campbell and Leftwick being withdrawn.

Those who voted for Mr. Clarke are, Messrs. Aldridge, Frazier, Fleming, Flewellin, Garrett, Heflin, Jones, Johnson, Kelly, Malone, Mathews, Pearson, Stephenson, Storrs, Saunders, Toulmin, Walker and Winston, of the Senate—19. Messrs. Speaker, Adams, Allen, Armstrong, Austin, Beck, Boon, Brown, Bulger, Bussey, Boyd, Campbell, Clements, Coleman, Cox, J. W. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Hall, Henshaw, Howard, J. W. W. Jackson, James, Jones, M. A. King, Porter King, Lea, Majors, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shorter, W. M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Whitsitt, Price Williams, Williamson and Wilson, of the House—55: 19—74.

Those who voted for Mr. Hale are, Messrs. Bibb, Crenshaw, Cocke, Jemison, Leslie, O'Neal, Perrin, Patton, Ricks and Watrous, of the Senate—10. Messrs. Ashley, Banks, Benbow, Bennett, Booth, Bradford, Cooper, Critcher, Earnest, Gonder, Holley, Hopkins, Larkin, McCollum, Pettey, Shelley, Staton, Snowden, Walker, Wallace, Warren, Watkins, Webb, George W. Williams and Woolsey, of the House—26: 10—36.

Those who voted for Mr. Hooper are, Messrs. President, Baker, Gunn and Tarrant, of the Senate—4. Messrs. Allison, Bass, Benham, Carlisle, Nich. Davis, Freeman, Hendree, F. S. Jackson, Kavanaugh, Liddell, Moss, Nicks, Oates, Presley, John Smith, Walton and Seaborn Williams, of the House—17: 4—21.

Mr. Clarke having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected chancellor for the middle division of the State of Alabama for the term prescribed by law.

The convention then proceeded to the election of a chancellor for the northern division, Messrs. E. D. Townes, M. J. Turnley and A. Q. Nicks being in nomination.

Those who voted for Mr. Townes are, Messrs. Bibb, Crenshaw, Flewellin, Jemison, Malone, Mathews, O'Neal, Perrin, Patton, Ricks, Stephenson, Stone and Watrous, of the Senate—13.

Messrs. Speaker, Armstrong, Banks, Beck, Benham, Brown, Bussey, Byrd, Clements, Cox, Nich. Davis, Earnest, Glover, Goldsby, Gonder, W. C. Graham, Holley, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, Porter King, Larkin, McCollum, McMullen, Oates, Pettey, Phillips, Prentice, Robinson, Shorter, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Watkins, Webb and George W. Williams, of the House—41: 13—54.

Those who voted for Mr. Turnley are, Messrs. Frazier, James, Jones, Kelly, Toulmin and Walker, of the Senate—7. Messrs. Allen, Bulger, Cooper, J. W. Davis, W. P. Davis, N. S. Graham, Hall, Manasco, McAllister, Price, Reaves, Roper, Stephenson, Turner, Whitsitt, P. Williams and Wilson, of the House—18: 7—25.

Those who voted for Mr. Nicks are. Messrs. President, Aldridge, Baker, Cocke, Fleming, Gunn, Heflin, Johnson, Leslie, Pearson, Snowden and Tarrant, of the Senate—12. Messrs. Adams, Allison, Ashley, Austin, Bass, Benbow, Bennett, Boon, Bradford, Campbell, Carlisle, Critcher, Nathaniel Davis, Freeman, Gladney, Hendree, Henshaw, F. S. Jackson, Jones, M. A. King, Lea, Liddell, Majors, McCaskill, Moss, Pool, Presley, Rowe, Shelley, John Smith, Staton, Stone, Walton, Warren, Price Williams, Seaborn Williams and Woolsey, of the House—37: 12—49.

Messrs. Winston, of the Senate, and Coleman, of the House, voted for Mr. Mudd.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Townes are, Messrs .Bibb, Crenshaw, Flewellin, Jemison, Johnson, Malone, Mathews, O'Neal, Perrin, Patton, Ricks, Stephenson, Storrs, Saunders and Watrous, of the Senate—15. Messrs. Speaker, Armstrong, Banks, Bass, Beck, Benham, Booth, Brown, Bussey, Byrd, Clements, Cox, Nich. Davis, Earnest, Glover, Goldsby, W. C. Graham, Holley, Hopkins, Howard, Jones, Kavanaugh, M. A. King, Porter King, Larkin, McCollum, McMullen, Oates, Pettey, Prentice, Reaves, Robinson, Shorter, W. M. Smith, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace, Walton, Watkins, Webb, Geo. W. Williams, Price, Williams and Wilson of the House—46: 15—61.

Those who voted for Mr. Turnley are, Messrs. Frazier, Garrett, James, Jones, Kelly, Toulmin and Walker, of the Senate.—7. Messrs. Coleman, Cooper, W. P. Davis, N. S. Graham, Hall, Manasco, Moragne, McAllister, Roper, Stephens and Whitsitt, of the House—11: 7—18.

Those who voted for Mr. Nicks are, Messrs. President, Aldridge, Baker, Cocke, Fleming, Gunn, Heflin, Leslie, Pearson, Tarrant and Winston, of the Senate—11. Messrs. Adams Allen, Allison, Ashley, Austin, Benbow, Bennett, Boon, Bradford, Bulger, Campbell, Carlisle, Critcher, J. W. Davis, Nathaniel Davis, Freeman, Goldsby, Gouder, Hendree, Henshaw, F. S. Jackson, Jno. W. W. Jackson, Lea, Liddell, Majors, McCaskill, Moss, Pool, Presley, Price, Rowe, Shelley, John Smith, Staton, Stone, Warren, S. Williams, Williamson and Woolsey, of the House--39 : 11—50.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Townes are, Messrs. Bibb, Crenshaw, Frazier, Flewellin, Jemison, Jones, Johnson, Kelly, Malone, Mathews, O'Neal, Perrin, Patton, Ricks, Stephenson, Storrs, Saunders, Toulmin and Watrous, of the Senate—19. Messrs. Speaker, Armstrong, Ashley, Banks, Bass, Beck, Benham, Booth, Brown, Bussey, Byrd, Clements, Cox, Nich. Davis, Earnest, Freeman, Glover, Goldsby, W. C. Graham, Holley, Hopkins, Howard, Jones, Kavanaugh, M. A. King, Porter King, Larkin, McAllister, McCollum, McMullen, Oates, Patton, Prentice, Robinson, Shorter, John Smith, W. M. Smith, Stephenson, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, Geo. W. Williams, Price Williams, Seaborn Williams and Wilson, of the House—51 : 19—70.

Those who voted for Mr. Turnley are, Mr. Garrett, of the Senate—1. Messrs. Coleman, Cooper, N. S. Graham, Hall, Manasco, Moragne, Pool and Roper, of the House—8 : 1—9.

Those who voted for Mr. Nicks are, Messrs. President, Aldridge, Baker, Cocke, Fleming, Gunn, Heflin, James, Leslie, Pearson, Tarrant and Winston, of the Senate—12. Messrs. Adams, Allison, Austin, Benbow, Bennett, Boon, Bradford, Bulger, Campbell, Carlisle, Critcher, J. W. Davis, Nathaniel Davis, W. P Davis, Gladney, Gonder, Hendree, Henshaw, F. S. Jackson, John W. W. Jackson, Lea, Liddell, Majors, McCaskill, Moss, Presley, Price, Reaves, Rowe, Shelley, Staton, Stone, Walton, Williamson and Woolsey, of the House—35 : 12—47.

Mr. Townes, having received a majority of the whole number of votes given, was declared by Mr. Speaker, to have been duly and constitutionally elected chancellor of the northern division of the State of Alabama for the time prescribed by law.

The convention then proceeded to the election of a solicitor for the fourth judicial circuit, Messrs. John S. Kennedy, William H. Campbell, Nicholas Davis, Jr., William H. Pettey and W. C. Graham being in nomination.

Those who voted for Mr. Kennedy are, Messrs. Aldridge, Crenshaw, Flewellin, Garrett, Jemison, Jones, Leslie, Mathews, O'Neal, Patton, Tarrant and Watrous, of the Senate—12. Messrs. Allen, Banks, Beck, Benham, Booth, Coleman, Cox, Critcher, J. W. Davis, Gonder, N. S. Graham, Holley, J. W. W. Jackson, Majors, McCaskill, Oates, Phillips, Pool, Prentice, Presley, Reaves, Roper, Rowe, Shorter, Snowden, Tarrant, Turner, Walker, Wallace and Williamson, of the House—30: 12—42.

Those who voted for Mr. Campbell are, Messrs. Cocke, Frazier, Heflin, James, Kelly, Toulmin and Winston, of the Senate—7. Messrs. Speaker, Adams, Bennett, Bulger, W. P. Davis, Goldsby, Hall, Howard, Jones, Manasco, Moragne, McAllister, McMullen, Nicks and P. Williams, of the House—15: 7—22.

Those who voted for Mr. Davis are, Messrs. President, Baker, Bibb, Fleming, Gunn, Johnson, Malone and Walker, of the Senate—8. Messrs. Allison, Ashley, Austin, Bass, Benbow, Boon, Bradford, Byrd, Clements, Cooper, Nathaniel Davis, Earnest, Glover, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Larkin, Lea, Liddell, Moss, Robinson, John Smith, Sterrett, Walton, Webb, Seaborn Williams, Wilson and Woolsey, of the House—31: 8—39.

Those who voted for Mr. Pettey are, Messrs. Perrin, Pearson and Beck, of the Senate—3. Messrs. Brown, Gladney, Wesley M. Smith, Staton, Stone, Watkins and George W. Williams, of the House—7: 3—10.

Those who voted for Mr. Graham are, Messrs. Stephenson, Storrs and Saunders, of the Senate—3. Messrs. Armstrong, Bussey, Carlisle, Porter King, McCollum, Price, Shelley, Stephens, Warren and Whitsitt, of the House—10: 3—13.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Kennedy are, Messrs. Aldridge, Crenshaw, Flewellin, Jemison, Jones, Leslie, Mathews, O'Neal, Perrin, Patton, Saunders and Tarrant, of the Senate—12. Messrs. Allen, Ashley, Banks, Beck, Benham, Booth, Carlisle, Coleman, Cox, James W. Davis, Freeman, N. S. Graham, Holley, J. W. W. Jackson, Majors, McAllister, Oates, Prentice, Presley, Roper, Shorter, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace and Williamson, of the House—28: 12—40.

Those who voted for Mr. Campbell are, Messrs. Cocke, Frazier, Garrett, Heflin, James, Kelly, Storrs and Toulmin, of the Senate—8. Messrs. Speaker, Adams, Austin, Bennett, Bulger, Gladney, W. C. Graham, Howard, Jones, Manasco, Moragne, McAllister, Nicks, Phillips, Pool, Reaves, Stephens, Staton, Price Williams and Wilson, of the House—21: 8—29.

Those who voted for Mr. Davis are, Messrs. President, Baker, Bibb, Fleming, Gunn, Johnson, Malone, Walker and Winston, of the Senate—9. Messrs. Allison, Bass, Benbow, Boon, Bradford, Byrd, Clements, Cooper, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Glover, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Larkin, Lea, Liddell, McMullen, Moss, Robinson, Rowe, Shelley, John Smith, Walton, Warren, Webb, S. Williams and Woolsey, of the House—33: 9—42.

Those who voted for Mr. Pettey are, Messrs. Pearson and Ricks, of the Senate—2. Messrs. Brown, W. M. Smith, Stone, Watkins and Geo. W. Williams, of the House—5: 2—7.

Those who voted for Mr. Graham are, Messrs. Armstrong, Bussey, P. King, McCollum, Price and Whitsitt, of the House—6. Mr. Stephens of the Senate.—1: 6—7.

Neither of the candidates having received a majority of the whole number of the votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Kennedy are, Messrs. Aldridge. Crenshaw, Frazier, Flewellin, Jemison, Jones, Leslie, Mathews, O'Neal, Perrin, Patton, Saunders, Tarrant and Watrous, of the Senate—14. Messrs. Allen, Ashley, Banks, Bass, Benham, Booth, Carlisle, Coleman, Cox, J W. Davis, Freeman, Gonder, N. S Graham, Holley, J. W. W. Jackson, McAllister, McCaskill, Oates, Prentice, Presley, Roper, Shelley, Shorter, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace and Wilson, of the House—30: 14—44.

Those who voted for Mr. Campbell are, Messrs Cocke, Garrett, Heflin, James, Kelly, Storrs and Toulmin, of the Senate—7. Messrs. President, Adams, Austin, Bennett, Bulger, Gladney, Goldsby, Hall, Howard, Jones, Majors, Manasco, Moragne, Phillips, Pool, Price, Reaves, Staton, Stephens, Whitsitt and Price Williams, of the House—21: 7—28.

Those who voted for Mr. Davis are, Messrs. President, Baker, Bibb, Gunn, Johnson, Malone, Walker and Winston, of the Senate—8. Messrs. Allison, Bass, Benbow, Boon, Bradford, Byrd, Clements, Cooper, Critcher, Nathaniel Davis, William P. Davis, Earnest, Glover, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Larkin, Lea, Liddell, McMullen, Moss, Nicks, Robinson, Rowe, John Smith, Stone, Walton, Warren, Webb, S. Williams and Woolsey, of the House—35: 8—43.

Those who voted for Mr. Pettey are, Messrs. Pearson and Rix, of the Senate—2. Messrs. Brown, W. M. Smith, Watkins and G. W. Williams, of the House—4: 2—6.

Those who voted for Mr. Graham are, Mr. Stephenson, of the Senate—1. Messrs. Armstrong. Bussey and McCollum, of the House—4.

On motion of Mr. ——, the convention adjourned until 3 o'clock this afternoon.

The Senate then withdrew, and the House adjourned until 3 P. M., of this afternoon.

Afternoon Session, November 26, 1851.

The House met pursuant to adjournment.

Mr. Wesley M. Smith offered the following resolution, which was adopted:

Resolved, That the clerk inform the Senate that the Rev. A. A. Lipscomb will, by invitation of the House of Representatives, perform divine services in their hall, on to-morrow at 11 o'clock, A. M., it being Thanksgiving Day, and that the Senate be invited to attend on said occasion.

Mr. Glover offered the following resolution, which was, on motion of

Mr. Webb, referred to the Committee on Roads, Bridges and Ferries.

Resolved, That the use of the hall of the House of Representatives be granted to Dr. Crane, to deliver a lecture on phrenology, on Friday evening, at 7 o'clock.

A message was received from the Senate by Mr. Kidd, informing the House of the passage of House bill for the relief of Joseph D. Evetts.

The Senate by invitation appeared in the hall of the House, and the two Houses in convention resumed the elections set for this day—the first being the election of a solicitor for the fourth judicial circuit, no election herein having been effected in the premises, the convention proceeded to ballot the fourth time, Mr. Graham being withdrawn.

Those who voted for Mr. Kennedy are, Messrs. President, Aldridge, Bibb. Crenshaw, Garrett. Jemison, Jones, Leslie, O'Neal. Perrin. Patton, Stephenson. Saunders, Tarrant and Watrous, of the Senate—15. Messrs. Allen, Ashley. Banks, Benbow, Booth, Brown, Carlisle. Coleman. Cox. J. W. Davis, Freeman, Gladney, Gonder. Holley. McCaskill, Oates. Prentice, Presley, Reaves, Roper, Shorter, Sterrett, Snowden, Tarrant, Turner. Walker, Wallace Webb and S. Williams, of the House—30: 15—45.

Those who voted for Mr. Campbell are, Messrs. Cocke, Frazier, Heflin, James, Kelly, Mathews. Pearson, Storrs and Toulmin, of the Senate—9. Messrs. Speaker, Adams, Armstrong, Austin, Bennett, Boon. Bulger, Goldsby, Henshaw, Howard, J. W. W. Jackson, Jones, Majors, Manasco, Moragne McAllister, Nicks, Phillips, Price, Staton, Stephens, Stone, Whitsitt, Price Williams and Wilson, of the House—25 : 9—34.

Those who voted for Mr. Davis are, Messrs. Baker, Fleming, Gunn, Malone, Walker and Winston, of the Senate—6. Messrs. Bass, Bradford, Bussey, Byrd, Clements, Cooper, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Glover, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Larkin, Lea, Liddell, McCollum, McMullen, Moss, Pool, Robinson, Rowe, Shelley, John Smith, Walton, Warren and Woolsey, of the House—30 : 6—36.

Those who voted for Mr. Pettey are, Mr. Ricks, of the Senate—1. Messrs. Wesley M. Smith, Watrous and Geo. W. Williams, of the House—3 : 1—4.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fifth time, Mr. Pettey being withdrawn.

Those who voted for Mr. Kennedy are, Messrs. President, Aldridge, Bibb, Crenshaw, Flewellin, Garrett, Jemison, Jones, Leslie, O'Neal, Perrin, Patton, Stephenson, Saunders, Tarrant and Watrous, of the Senate—16. Messrs. Allen, Ashley, Banks, Benbow, Benham, Booth, Brown, Carlisle, Coleman, Cox, J. W. Davis, Freeman, Gonder, N. S. Graham, Holley, McAllister, McCaskill, Oates, Prentice, Presley, Roper, Shelley, W. M. Smith, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace, Watkins, Webb and S. Williams, of the House—32 : 16—48.

Those who voted for Mr. Campbell are, Messrs. Cocke, Frazier, Heflin, James, Kelly, Mathews, Storrs, and Toulmin, of the Senate—8. Messrs. Speaker, Adams, Armstrong, Austin, Bennett, Boon, Bulger, Goldsby, W. C. Graham, Hall, Henshaw, Howard, J. W. W. Jackson, Jones, Majors, Manasco, Moragne, McCollum, Nicks, Phillips, Pool, Price, Reaves, Shorter, Staton, Stephens, Whitsitt, Price Williams and Wilson, of the House—28: 8—37.

Those who voted for Mr. Davis are, Messrs. Baker, Fleming, Gunn, Malone, Pearson, Ricks, Walker and Winston, of the Senate—8. Messrs. Allison, Bass, Bradford, Bussey, Byrd Clements, Cooper, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Gladney, Glover, Hendree, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Larkin, Lea, Liddell, McCollum, Moss, Pettey, Robinson, Rowe, John Smith, Stone, Walton, Warren, Geo. W. Williams and Woolsey, of the House—33: 8—41.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot the sixth time.

Those who voted for Mr. Kennedy are, Messrs. President, Aldridge, Bibb, Crenshaw, Flewellin, Gunn, Garrett, Jemison, James, Leslie, O'Neal, Perrin, Patton, Stephenson, Saunders, Tarrant and Watrous, of the Senate—17. Messrs. Allen, Allison, Banks, Benbow, Benham, Booth, Brown, Carlisle, Coleman, Cox, Jas. W. Davis, Fleming, Gonder, N. S. Graham, Henshaw, Holley, Larkin, McAllister, McCaskill, Oates, Prentice, Presley, Roper, Shelley, Shorter, W. M. Smith, Snowden, Tarrant, Turner, Walker, Wallace, Watkins, Webb and Seaborn Williams, of the House—34: 17—51.

Those who voted for Mr. Campbell are, Messrs. Cocke, Frazier, Heflin, James, Kelly, Mathews, Pearson, Storrs and Toulmin, of the Senate—9. Messrs. Speaker, Adams, Armstrong, Austin, Bulger, W. P. Davis, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Majors, Manasco, Moragne, McMullen, Nicks, Phillips, Pool, Price, Reaves, Staton, Stephens, Stone, Whitsitt, Price Williams and Wilson, of the House—27: 9—36.

Those who voted for Mr. Davis are, Messrs. Baker, Fleming, Malone, Ricks, Walker and Winston, of the Senate—6. Messrs. Ashley, Bass, Bennett, Boon, Bradford, Bussey, Byrd, Clements, Cooper, Critcher, Nathaniel Davis, Earnest, Gladney, Glover, Hendree, Hopkins, F. S. Jackson, Kavanaugh, Porter King, Lea, Liddell, McCollum, Moss, Pettey, Robinson, Reaves, John Smith, Sterrett, Walton, Warren, Geo. W. Williams and Woolsey, of the House—32: 6—38.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a seventh time.

Those who voted for Mr. Kennedy are, Messrs. President, Aldridge, Bibb, Crenshaw, Flewellin, Garrett, Jemison, Jones, Leslie, O'Neal, Perrin, Patton, Stephenson, Saunders, Tarrant and Watrous, of the Senate—16. Messrs. Allen, Ashley, Allison, Banks Benbow, Benham, Booth, Brown, Carlisle, Coleman, Cox, Jas. W. Davis, Gonder, N. S. Graham, Henshaw, Holley, Hopkins, Larkin, McAllister, McCaskill, Oates, Pool, Prentice, Reaves, Roper, Shelley, Shorter, W. M. Smith, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace, Watkins, Webb and Seaborn Williams, of the House—37: 16—53.

Those who voted for Mr. Campbell are, Messrs. Cocke, Frazier, Heflin, James, Kelly, Mathews, Storrs and Toulmin, of the Senate—8. Messrs. Speaker, Adams, Armstrong, Austin, Bulger, Bussey, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Majors, Manasco, Moragne, McMullen, Nicks, Price, Staton, Whitsitt and Price Williams, of the House—21: 8—29.

Those who voted for Mr. Davis are, Messrs. Baker, Fleming, Gunn, Malone, Pearson, Rix and Winston, of the Senate—8. Messrs. Bass. Bennett, Boon, Bradford, Byrd, Clements, Cooper, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Freeman, Gladney. Glover, Hendree, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Lea. Liddell. McCollum, Moss, Pettey, Phillips, Robinson, Rowe. John Smith, Stephens, Stone, Walton, Warren, George W. Williams, Wilson and Woolsey, of the House—35 : 8—43.

Neither of the candidates having received a majority of the whole number of votes given. the convention proceeded to ballot the eighth time, Mr. Campbell being withdrawn.

Those who voted for Mr. Kennedy are, Messrs President, Aldridge, Bibb, Crenshaw, Cocke, Frazier, Flewellin, Garrett, Jemison, Jones. Leslie, Mathews O'Neal, Perrin, Patton, Stephenson, Storrs, Saunders Tarrant and Watrous—20. Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Benbow, Booth. Brown. Carlisle, Coleman. Cox, James W. Davis, Freeman, Gonder. N. S. Graham, Henshaw. Holley, J. W. W. Jackson, Majors. Manasco, Moragne, McCaskill. McAllister, Oates, Prentice, Presley, Price, Reaves, Roper. Shelley, Shorter, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace, Watkins, Webb and Seaborn Williams, of the House—44 : 20—64.

Those who voted for Mr. Davis are, Messrs. Baker, Fleming, Gunn, Heflin, James, Kelly, Malone, Pearson, Rix, Toulmin, Walker and Winston, of the Senate—12. Messrs. Adams, Austin, Bass, Bennett, Boon, Bradford, Bulger, Bussey, Byrd, Clements, Cooper, Critcher, Nathaniel Davis, Earnest, Gladney, Glover, Goldsby, W. C. Graham, Hall, Hendree, Hopkins, Howard, F. S. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Larkin, Lea, Liddell, McCollum, McMullen, Moss, Nicks, Pettey, Phillips, Pool. Robinson, Reaves, John Smith, Stephenson, Stone, Walton, Warren, Whitsitt, G. W. Williams, Price Williams, Wilson and Woolsey, of the House—50 : 12—62.

Mr. Kennedy having received a majority of the whole number of votes given, was declared by the Speaker to have been duly and constitutionally elected solicitor for the fourth judicial circuit for the time prescribed by law.

The convention then proceeded to the election of a solicitor of the first judicial circuit, Messrs. Henry C. Lea, Thomas F. Bugbee, F. W. Siddons, F. F. Foscue being in nomination.

Those who voted for Mr. Lea are, Messrs. President, Aldridge, Crenshaw, Cocke, Gunn, James, Leslie, O'Neal and Saunders, of the Senate—9. Messrs. Speaker, Adams, Allen, Ashley, Benham. Booth, Brown. Bussey, Campbell, Carlisle, Critcher, James W. Davis, Earnest, Freeman, Gonder, Hendree, Holly, Hopkins,

M. A. King, Larkin, Majors, McCollum, Presley, John Smith, Staton, Snowden, Warren, Webb and Woolsey, of the House—29: 9—38.

Those who voted for Mr. Bugbee are, Messrs. Baker, Bibb, Jemison, Malone, Pearson, Rix, Stephenson, Storrs, Tarrant, Watrous and Winston, of the Senate—11. Messrs. Banks, Bass, Benbow, Bennett, Clements, Cooper, Nathaniel Davis, W. P. Davis, Gladney, Glover, Henshaw, F. S. Jackson, Liddell, Moss, Nicks, Oates, Pettey, Prentice, Roper, Shelley, Sterrett, Stone, Tarrant, Wallace, Walton and Seaborn Williams—26: 11—37.

Those who voted for Mr. Siddons are, Messrs. Fleming, Garrett, Jones, Perrin and Walker, of the Senate—5. Messrs. Bradford, Byrd, Goldsby, W. C. Graham, Jones, Kavanaugh, P. King, McAllister, McCaskill, McMullen, Price and Robinson, of the House—12: 5—17.

Those who voted for Mr. Foscue are, Messrs. Frazier, Flewellin, Heflin, Kelly, Mathews, Patton and Toulmin, of the Senate—7. Messrs. Allen, Armstrong, Austin, Boon, Bulger, Coleman, Cox, Nathaniel Davis, N. S. Graham, Hall, Howard, J. W. W. Jackson, Manasco, Moragne, Phillips, Pool, Reaves, Rowe, Shorter, Wesley M. Smith, Stephenson, Turner, Whitsitt, Geo. W. Williams, Price Williams and Wilson, of the House—27; 7—34.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time, Mr. Wm. H. Northington being also in nomination.

Those who voted for Mr. Lea are, Messrs. President, Aldridge, Crenshaw, Cocke, Gunn, James, Leslie, O'Neal and Saunders, of the Senate—9. Messrs. Speaker, Adams, Allison, Ashley, Benham, Booth, Brown, Bussey, Campbell, Carlisle, Critcher, James W. Davis, Earnest, Freeman, Gonder, Hendree, Holley, Hopkins, M. A. King, Larkin, McCollum, Presley, John Smith, Staton, Snowden, Webb, P. Williams and Woolsey, of the House—29: 9—38.

Those who voted for Mr. Bugbee are, Messrs. Baker, Bibb, Jemison, Malone, Pearson, Patton, Ricks, Stephenson, Tarrant, Watrous and Winston, of the Senate—11. Messrs. Banks, Bass, Benbow, Bennett, Clements, Cooper, Nich. Davis, W. P. Davis, Glover, Henshaw, F. S. Jackson, Moss, Nicks, Oates, Pettey, Prentice, Roper, Shelley, Sterrett, Stone, Tarrant, Walker, Wallace, Walton and S. Williams, of the House—25: 11—36.

Those who voted for Mr. Siddons are, Messrs. Garrett, Perrin and Walker, of the Senate—3. Messrs. Bradford, Byrd, Goldsby, Wm. C. Graham, Jones, Kavanaugh, Porter King, Liddell, Mc-

Allister, McCaskill, Price and Robinson, of the House—12: 3—15.

Those who voted for Mr. Foscue are, Messrs. Frazier, Fleming, Flewellin, Heflin, Jones, Kelly, Mathews, Storrs and Toulmin, of the Senate—9. Messrs. Allen, Armstrong, Austin, Boon, Bulger, Coleman, Cox, Nathaniel Davis, Hall, Howard, J. W. W. Jackson, Manasco, Moragne, McMullen, Phillips, Pool, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Turner, Whitsitt, Geo. W. Williams and Wilson, of the House—26: 9—35.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Lea are, Messrs. President, Aldridge, Crenshaw, Cocke, Gunn, Leslie, O'Neal, Patton and Saunders, of the Senate—9. Messrs. Speaker, Adams, Ashley, Benham, Booth, Campbell, Carlisle, J. W. Davis, Earnest, Freeman, Gonder, Hendree, Holly, Hopkins, Larkin, McCollum, Presley, John Smith, Snowden, Warren, Webb and Woolsey, of the House—23: 9—32.

Those who voted for Mr. Bugbee are, Messrs. Baker, Bibb, Jemison, Malone, Ricks, Stephenson, Tarrant, Watrous and Winston, of the Senate—9. Messrs. Armstrong, Banks, Bass, Benbow, Bennett, Clements, Cooper, Critcher, Nich. Davis, W. P. Davis, Glover, Henshaw, F S. Jackson, Liddell, Moss, Nicks, Oates, Pettey, Roper, Shelley, Stone, Tarrant, Walker, Wallace, Walton, Whitsitt and S. Williams, of the House—27: 9—36.

Those who voted for Mr. Siddons are, Mr. Perrin, of the Senate—1. Messrs. Bradford, Goldsby, W. C. Graham, Jones, Kavanaugh, M. A. King, Porter King, McCaskill, Price and Sterrett, of the House—10; 1—11.

Those who voted for Mr. Foscue are, Messrs. Frazier, Fleming, Flewellin, Heflin, Jones, Kelly, Mathews, Toulmin and Walker, of the Senate—10. Messrs. Allen, Austin, Brown, Bulger, Coleman, Cox, Nathaniel Davis, N S Graham, J. W. W. Jackson, Majors, Manasco, Moragne, McMullen, Pool, Reaves, Rowe. Shorter, W. M. Smith, Stephens, Turner, Geo. W. Williams, P. Williams and Wilson of the House—24: 10—34.

Those who voted for Mr. Northington are, Messrs. Garrett, Pearson and Storrs—3. Messrs. Hall, Howard and McAllister, of the House—3: 3—6.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fourth time, Mr. Siddons having withdrawn.

Those who voted for Mr. Lea are, Messrs. President, Aldridge, Crenshaw, Cocke, Gunn, Leslie, O'Neal, Perrin and Saunders, of the Senate—9. Messrs. Speaker, Adams, Allison, Ashley, Benham, Booth, Bradford, Byrd, Campbell, Carlisle, J. W. Davis, Earnest, Freeman, Gonder, Hendree, Holley, Hopkins, Jones, Kavanaugh, M. A. King, Larkin, McCollum, Moss, Nicks, Presley, John Smith, Staton, Snowden, Warren, Webb, Price Williams, Seaborn Williams and Woolsey, of the House—33: 9—42.

Those who voted for Mr. Bugbee are; Messrs. Baker, Bibb, Jemison, Malone, Pearson, Patton, Rix, Stephenson, Tarrant, Watrous and Winston, of the Senate—11. Messrs. Banks, Bass, Benbow, Bennett, Bussey, Clements, Cooper, Critcher, Nich. Davis, W. P. Davis, Glover, Goldsby, W. C. Graham, Henshaw, F. S. Jackson, Porter King, Liddell, Oates, Pettey, Prentice, Roper, Shelley, Sterrett, Stone, Tarrant, Walker, Wallace, Walton and Whitsitt, of the House—29: 11—40.

Those who voted for Mr. Foscue are, Messrs. Frazier, Fleming, Flewellin, Heflin, James, Jones, Kelly, Mathews, Toulmin and Walker, of the Senate—10. Messrs. Allen, Armstrong, Austin, Boon, Brown, Bulger, Coleman, Cox, Nathaniel Davis, Gladney, N. S. Graham, J. W. W. Jackson, Majors, Manasco, Moragne, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Turner, George W. Williams and Wilson, of the House—28: 10—38.

Those who voted for Mr. Northington are, Messrs. Garrett and Storrs, of the Senate—2. Messrs. Hall, Howard, McAllister and Robinson, of the House—4: 2—6.

Neither of the candidates having received a majority of the whole number of votes given, the convention, on motion of ———, adjourned until Friday morning at 10 o'clock.

The Senate then withdrew, and the House adjourned until Friday morning, at 10 o'clock.

FRIDAY, November 28, 1851.

The House met pursuant to adjournment.

Mr. Stone offered the following resolution, which was adopted:

Resolved, That, the Senate concurring, when the two Houses meet in convention this morning, the convention will examine the votes given on the final ballot for solicitor for the fourth judicial circuit, and if any error shall appear to have been committed by the Secretary of the Senate or Clerk of the House, on the statement or addition of the votes therein given, the convention shall proceed to rectify the same. If such error be found, and its correction shall cause a tie vote, the convention shall proceed to ballot for a choice. If such error shall, when corrected, cause a different result, the Speaker shall announce that the candidate who after said correction shall appear to have received a majority of the whole nember of votes is duly and constitutionally elected.

On motion of Mr. Cooper, the Senate was invited into the hall of the House to proceed with the election set for this hour.

A message was received from the Governor, by Mr. Harrison, his private secretary, transmitting a communication from the Secretary of the Interior, which was referred to the Committee on Congressional Apportionment.

A message was received from the Senate, by Mr. Kidd, informing the House that the Senate declined accepting the invitation to meet in the House in convention, until some disposition of the resolution transmitted from the House in relation to the revision of the final ballot for a solicitor for the fourth judicial circuit.

Bills were introduced by:

Mr. Howard, to refund to the legal representatives of William H. Bryant, deceased, a sum of money therein named:

Mr. Snowden, to designate the office days for business purposes in the probate court of Covington:

Mr. Snowden, to authorise bailiff tickets and jury certificates to be received in payment of county taxes in Covington county.

Mr. Woolsey, to incorporate the Selma Marine and Fire Insurance Company:

Mr. Coleman, to divide the two and three per cent. funds equally among the several counties of the State according to their white popoulation:

Mr. Earnest, to change the time of holding the circuit court of Jefferson county, and for other purposes:

Mr. Earnest, to authorise Stephen F. Hall and Samuel S. Earle, guardians, &c., to sell real estate:

Mr. Earnest, for the relief of John Woddell and Delila Naramore:

Mr. Kavanaugh, to authorise Moses Cavitt, administrator, &c., of Richard Cavitt, to settle and compromise bad and doubtful debts:

Mr. Byrd, to prohibit the intermarriage of white persons with persons descended from the African race, and for other purposes

Mr. Price Williams, to incorporate the People's Spring Hill Plank or Shellroad in Mobile:

Mr. Price Williams, for the relief of the estate of S. Palmer, deceased:

Mr. Moss, for the relief of William Hussey:

Mr. Moss, to empower the judge of probate of Montgomery county to authorise the sale of certain lands therein named:

Mr. Goldsby, to prevent the erection of telegraph lines across the public roads except on certain conditions:

Mr. Lea, to alter and amend proceedings in chancery:

Mr. Roper, for the relief of the widow and heirs at law of Hugh Cormack:

Mr. Whitsitt, to incorporate the Gaston Institute:

Mr. Wallace, to authorise judges of the probate court to correct mistakes in their courts, and for other purposes:

Mr. Manasco, to authorise the commissioners of roads and revenue of the county of Walker to levy a county tax:

And were severally read and ordered to a second reading.

Mr. Woolsey presented the petition of G. Gardiner and P. J. Weaver: and

Mr. Stephens, the petition of N. Robinson:

Which were severally referred to the Committee on Propositions and Grievances.

Mr. Shorter, by leave, offered the following resolution, which was adopted:

Resolved, That, with the concurrence of the Senate, the two Houses will assemble in convention in the hall of the House on Wednesday next, December 3, for the purpose of electing an Attorney General for the State of Alabama.

The question recurred, on the motion of

Mr. Nathaniel Davis, to postpone until the first Monday in January the future consideration of the resolution heretofore offered by him in relation to the printing the new code.

Mr. Nathaniel Davis, by leave, withdrew his motion to postpone.

The question recurred on Mr. Byrd's motion to indefinitely postpone said resolution.

Mr. Byrd, by leave, withdrew said resolution.

The question recurred on

Mr. Cooper's motion to amend said resolution. The said amendment was adopted.

The question recurred on the motion of

Mr. Davis's resolution.

Mr. Oates moved to amend said resolution by adding thereto "and said code when printed shall be referred to a committee of ———, who shall act with a like committee on the part of the Senate."

Said motion was lost, and the resolution of Mr. Nathaniel Davis was lost. Yeas 33; nays 59.

Those who voted in the affirmative are, Messrs. Bennett, Bradford, Cooper, Cox, Critcher, Nathaniel Davis, Earnest, Freeman, Gladney, Holly, F. S. Jackson, Kavanaugh, Porter King, Liddell, Manasco, McCaskill. McMullen, Nicks, Oates, Pettey, Presley, Reaves, Robinson, Rowe, Shelley, W. M. Smith, Snowden, Stone and Watkins – 33.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Allen, Armstrong, Ashley, Bass, Banks, Benbow, Boon, Booth, Brown, Boyd, Campbell, Clements, J. W. Davis, W. P. Davis, Glover, Gonder, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Hopkins, Howard, Jones, M. A. King, Larkin, Lea, Majors, McAllister, McCaskill, Moss, Phillips, Pool, Prentice, Price, Roper, Shorter, John Smith, Staton, Stephens, Sterrett, Tarrant, Turner, Walker, Wallace, Warren, Webb, Whitsitt, G. W. Williams, P. Williams, Williamson, Wilson and Woolsey—59.

A message was received from the Senate, by Mr. Kidd, informing the House of the concurrence by the Senate in the resolution proposing to revise the election of the solicitor of the fourth judicial circuit, and that the Senate had amended said resolution by striking out the words "shall proceed to ballot for a choice." and insert "in case it shall be found that there was no election the convention shall not proceed to an election until a day is fixed by a resolution of both houses;" and also by an additional resolution as follows:

Resolved further, That when the two Houses of the General Assembly shall assemble in convention to enquire whether there be any error in the announcement of the late ballotting for solicitor in the fourth circuit, the Secretary of the Senate shall first read out the name of each senator and the name of the individual for whom he voted, when such senator shall rise and say if his vote is correctly enrolled.

In like manner, the clerk of the House shall read his journal, and each member, as his name and vote is read out shall answer whether his vote be correctly recorded; and if there be any senator or representative who voted and whose name is not called, he shall so state.

Mr. Walker moved to amend the amendment of the Senate by adding thereto

Said amendment was lost, and the amendments of the Senate were concurred in.

The Senate, by invitation, then appeared in the hall of the House, and the two Houses in convention proceeded to review the election of solicitor for the fourth judicial circuit, when the result was found and declared to be as heretofore stated.

The convention then resumed the election for a solicitor for the first judicial circuit.

No election having been effected herein on Wednesday last, the convention proceeded to ballot a fifth time.

Those who voted for Mr. Lea are, Messrs. President, Aldridge, Crenshaw, Cocke, Fleming, Gunn, James, O'Neal, Perrin, Patton and Saunders, of the Senate—11. Messrs. Speaker, Allison, Ashley, Bass, Benbow, Benham, Booth, Bradford, Brown, Bussey, Byrd, Campbell, Coleman, Critcher, J. W. Davis, Earnest, Freeman, Gonder, W. C. Graham, Hendree, Holley, Hopkins, Jones, Kavanaugh, M. A. King, Porter King, Larkin, Liddell, Majors, McCollum, Nicks, Presley, Roper, John Smith, Staton, Snowden, Walker, Warren, Watkins, Webb, Whitsitt, Price Williams, Seaborn Williams, Williamson and Woolsey, of the House—46: 11—57.

Those who voted for Mr. Bugbee are, Messrs. Baker, Bibb, Jemison, Leslie, Malone, Ricks, Stephenson, Tarrant, Watrous and Winston, of the Senate—10. Messrs. Banks, Bennett, Clements, Cooper, Nich. Davis, W. P. Davis, Glover, Henshaw, F. S. Jackson, Moss, Oates, Pettey, Prentice, Shelley, Sterrett, Stone, Tarrant and Wallace, of the House—18: 10—28.

Those who voted for Mr. Foscue are, Messrs. Frazier, Heflin, Jones, Kelly, Mathews, Toulmin and Walker, of the Senate—7. Messrs. Allen, Armstrong, Austin, Boon, Bulger, Cox, Nathaniel Davis, Gladney, N. S. Graham, J. W. W. Jackson, Manasco, Moragne, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Rowe, Shorter, Stephenson, Turner and Wilson, of the House—23: 7—30.

Those who voted for Mr. Northington are, Messrs. Flewellin, Garrett, Pearson and Storrs, of the Senate—4. Messrs. Adams, Goldsby, Hall, Howard, McAllister, Robinson, W. M. Smith and George W. Williams, of the House—8: 4—12.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a sixth time, the name of Mr. Northington being withdrawn and Mr. Siddons being re-nominated.

Those who voted for Mr. Lea are, Messrs. President, Aldridge, Baker, Crenshaw, Cocke, Fleming, Gunn, James, Jones, Mathews, O'Neal, Perrin, Patton, Stephenson and Saunders, of the Senate—15. Messrs. Speaker, Adams, Allison, Ashley, Bass, Benbow, Benham, Boon, Brown, Bussey, Byrd, Campbell, Carlisle, J. W. Davis, W. P. Davis, Earnest, Freeman, Gonder, W. C. Graham, Hendree, Holley, Hopkins, Kavanaugh, M. A. King, Larkin, Liddell, Majors, Manasco, McCollum, Moss, Ricks, Prentice, Presley, Roper, Rowe, John Smith, Staton, Snowden, Walker, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey, of the House—49: 15—64.

Those who voted for Mr. Bugbee are, Messrs. Bibb, Jemison, Kelly, Leslie, Perrin, Ricks, Tarrant, Watrous and Winston, of the Senate—7. Messrs. Banks, Bulger, Clements, Cooper, Nich. Davis, Glover, Henshaw, F. S. Jackson, Oates, Pettey, Shelley, Sterrett, Stone, Tarrant and Wallace, of the House—15: 9—24.

Those who voted for Mr. Foscue are, Messrs. Frazier, Flewellin, Heflin, Storrs, Toulmin and Walker, of the Senate—6. Messrs. Allen, Armstrong, Austin, Boon, Cox, Nathaniel Davis, N. S. Graham, Howard, J. W. W. Jackson, Moragne, McAllister, McMullen, Phillips, Pool, Price, Reaves, Shorter, W. M. Smith, Stephens, Turner, Geo. W. Williams and Wilson, of the House—22: 6—28.

Those who voted for Mr. Siddons are, Mr. Garrett, of the Senate—1. Messrs. Bennett, Bradford, Gladney, Goldsby, Hall, Jones, Porter King, McCaskill and Robinson, of the House—9: 1—10.

Mr. Lea having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected solicitor for the first judicial circuit for the time prescribed by law.

The Senate then withdrew, and the House adjourned until to-morrow morning, at ten o'clock.

SATURDAY, November 29, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Mr. Allison.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Bills were introduced by:

Mr. Shorter, to incorporate the Eufaula Railroad Company:

Mr. Presley, to establish an election precinct in the county of Chambers:

Mr. Bussey, to prevent insubordination among slaves, and for other purposes:

Mr. McCollum, to establish a certain election precinct therein named:

Mr. Williamson, to change the mode of disbursing the revenue of Mobile county, and for other purposes:

Mr. F. S. Jackson, to provide for taking care of the State capitol:

Mr. Whitsitt, to prevent slaves and free persons of color from trading:

Mr. Earnest, to arrange and fix the times when the chancery courts in the middle division shall be held.

And were severally read and ordered to a second reading.

Mr. Seaborn Williams presented the petition of Seaborn Finks; and

Mr. Moss the petition of Griffin L. Hogan:

Which were severally referred to the Committee on Propositions and Grievances.

Mr. Bennett presented the account of James L. Clement, which was referred to the Committee on Accounts.

Reports.

Mr. Coleman, from the Committee on Retrenchment, to whom was referred the bill to increase the pay of jailors, reported the same back. Said bill was ordered to be engrossed for a third reading. Yeas 62; nays 28.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Austin, Banks, Bass Benbow, Benham, Bennett, Boon, Bradford, Brown, Bussey, Byrd, Campbell, Carlisle, Coleman, Cooper, Cox, James W. Davis, Wm. P. Davis, Earnest, Glover, Gonder, N. S Graham, W. C. Graham, Hendree, Holley, Howard, F S. Jackson, Kavanaugh, M. A. King, Lea, Majors, Moragne, McAllister, McCaskill, Moss, Oates, Pettey, Phillips Price, Reaves, Roper, Shelley, John Smith, Staton, Stephens Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Warren, Watkins, Whitsitt, G. W. Williams, Seaborn Williams and Wilson.

Those who voted in the negative are, Messrs. Armstrong, Allen, Ashley, Booth, Bulger, Clements, Nathaniel Davis, Gladney, Goldsby, Henshaw, Hopkins, J. W. W. Jackson, Jones, P. King, Larkin, Liddell, Manasco, Pool, Prentice, Presley, Robinson, Rowe, Shorter, W M. Smith, Webb, Price Williams, Williamson and Woolsey.

Mr. Armstrong, from the Committee on the Sixteenth Section Fund, to whom was referred the bill to compensate the county treasurer for the counties of Limestone and Morgan for receiving and paying out sixteenth section funds, reported the same back. Said bill was ordered to be engrossed for a third reading.

Mr. Armstrong, from the same committee, to whom was referred the bill to change the time of paying out the interest due or that hereafter may be due the several townships in this State on the sixteenth section fund, reported the same back as inexpedient to legislate thereon. The report was concurred in.

Mr. M. A. King, from the select committee to whom was referred the resolution to provide a seal and flag for the State of Alabama, reported as a substitute therefor joint resolutions to provide a seal and flag for the State of Alabama and for other purposes, which were read and ordered to a second reading.

Mr. Stephens, from the select committee to whom was referred the bill to lengthen the time of the circuit court of Jackson county, and for other purposes, reported a substitute therefor. The bill and substitute were, on motion of Mr. Cooper, recommitted.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named. Said bill was read and ordered to a second reading.

Mr. Phillips, from the Committee on Internal Improvement, made the following report:

In obedience to a resolution passed by the House, directing this Committee to report a system of Internal Improvement adapted to the wants of the people of Alabama, I am instructed to present the following report and bill, and earnestly to recommend to the House their adoption and passage.

The history of Alabama, from the birth of the State to the present period, exhibits not one serious attempt on the part of the Legislature to advance the great interests of agriculture, commerce or manufactures, which, by the form of our government, are subject to its protection and control

The convention which framed our present constitution, though not illumined by the spirit of progress which so distinguishes our immediate era, was not unmindful of the vigilant aid and protection which these great interests demanded at the hands of the Legislature. The constitution which it ordained declares, in explicit terms, that "The General Assembly shall make provision by law for obtaining correct knowledge of the several objects proper for improvement in relation to the navigable waters, and to the roads in this State, and for making a systematic and economical application of the means appropriated to those objects."

Notwithstanding this solemn injunction and admonition, the Legislature has proceeded without any regard to the duty which it owed to the citizens or any respect for the obligations of the constitution; and as far as we are informed, it has never expended one dollar of its own treasure for the advancement of any great work of improvement.

The condition of Alabama has rapidly changed in the short period of her existence. She is no longer a frontier State; she has cast off the wilderness and bared her bosom to the yearly demands of the husbandman.

Fertile as her soil is admitted to be, yet this is no guarantee against that impending barreness which is sure to follow the exhausting and ungraceful system of culture which prevails almost universally within her borders.

Other States are rich because they are old, but our destiny seems to be to grow old and poor together. The progress of our agriculturists is marked by exhausted and deserted fields; and the caravan of the emigrant tells the fate of a young State falling into premature decay and deserted for fresher lands, which, in turn, will probably be doomed to the same fate.

If Alabama wishes to become a prosperous State, she must sustain her equality in the prosecution of those improvements which are adding wealth and power to so many of the States of the Union. She must by a wise and liberal policy, anchor her citizens to the soil; she must answer the argument, that it is easier to go further for new lands than stay and manure old ones. This she can do by furnishing to her citizens the conveniences and profits which an enlightened system of internal improvement will afford.

Give to all parts of the State an easy access to market; annihilate distance between its extremest points by rapid means of travel, and thus take the burthen from the back of the agriculturist, and in the free interchange of opinions arising from a free communion, consolidate the interests of the State.

The advantages thus afforded would greatly counterbalance with the better portions of the population the desire for wandering to the "far west;" and home will become a cherished spot, and the name of Alabama itself an inheritance.

The bill which the committee has the honor to present, in its opinion, most deliberately formed, is called for by the demands of the people of the State, and if adopted, would be the inception of that new era in our Legislature which is destined to place Alabama at the head of the plantation States.

No State is more richly endowed by the hand of the Creator than our own. When we look to its combined capacities for agricultural, manufacturing, mining and commercial purposes, we shall ask without fear of answer, Where is its superior? Shall this "goodly inheritance" be cast away for the want of that enlightened energy which alone is required to make it ours and our children's to remotest generations? This is the solemn appeal made to this Legislature, and it must give the answer

In the bill presented by the Committee, they have grouped together the leading works which have heretofore been presented to the mature deliberation of the people of the State. There are other works collateral to these, and of great importance, not included, because it was deem best that works of the greatest interest should first be considered and acted upon by the legislature. Their omission, therefore, is not to be regarded as indicative either of indifference or hostility on the part of the Committee.

It will be seen by the bill that the appropriation of money, amounting in all to $230,000, is out of the three per cent. fund. From a report on this fund, which this Committee had the honor to make to the present legislature, it will be remembered, that this fund was donated by the General Government to this State for the express purpose of "making public roads and canals, and improving the navigation of rivers." The net amount of this fund was stated at........ ....$441,375 60
From which is to be deducted the amount appropriated by act of 5th February, 1850.............61,395 17

Leaving........ ....$379,960 43

There is to be added to this sum the amount due by the Government for three years, as the above account is made up to 31st December, 1848. As this is unascertained, it is not considered necessary to assume any given amount.

In the opinion of the Committee, the appropriations of the bill are such as to commend themselves to the favorable consideration of the House.

The chief sum in this list is the subscription of $200,000 to the construction of the road from the point at or near Gunter's Landing, on the Tennessee, to Gadsden, on the Coosa river. This road, though only forty-one miles in length, is the most difficult and costly of any equal length of road now contemplated in this State. It is the link which connects North Alabama with the southern portion of the State, and will make us one people in fact, as we are now only in name. It is, therefore, very justly looked to with the deepest interest; and though the sum is large, it is considered due to the magnitude of the undertaking. It must, moreover, not be forgotten that the sum is not taken from the money of the State, but is only a *partial payment made by the State out of a trust fund.*

The only aid asked from the State by this bill is the loan of its credit to the extent of two millions—not by the issuing of State bonds, but by the endorsement of the bonds of the four companies therein named in equal portions.

The Committee fully recognises the satisfaction which is every where felt in the great decrease of the public debt, and would be very far from recommending a system, which, in their opinion, would lead to the re-embarassment of our State finances. It is, however, satisfied that the *security afforded by the bill is of the most ample character.*

If the proposition were now presented, that the State should construct these roads, and pay their entire cost out of the State Treasury, it could be easily demonstrated, that the increased taxation, arising from increased values in the State, and the saving of the enormous charges upon the production and consumption of her citizens, would, in a very few years, return into the Treasury every dollar paid out for their construction.

But your Committee does not recommend this. On the contrary, it believes the true policy to be to permit these works to take their rise in private enterprise and skill, and for the State to come to their aid when individual capital is so far involved as to give a guarantee that the work will be economically prosecuted and the State made safe in the assistance afforded.

The Committee has asked for the most limited assistance that could be presented to the consideration of the House. If the legislature is disposed to extend any aid at all, it will not hesitate to adopt the provisions of this bill.

The application now made, though novel in Alabama, is far behind the action of our co-States upon this subject. Selecting a few of the States as an illustration, we find in the South, the State of South Carolina the pioneer on this subject, leading out her great road from Charleston to Augusta, which is now extending its branches in every direction, aided by the most liberal spirit on the part of the legislature of that State.

Virginia has subscribed two-fifths to her various improvements, amounting to	$8.000.000
Maryland	5,000,000
Pennsylvania	6,000,000
New York has given a bonus to a single company, the Erie Rail Road, of	3.000.000
Massachusetts	6.000,000
Missouri—to the St. Louis and Pacific Rail Road	2,000,000
Tennessee—by loan of State bonds to the Chattanooga Roads	1 300,000
And it is expected that her legislature now in session will make a further loan of	1,000,000
Georgia—to a single Road, the Western and Atlantic Rail Road	3,000,000

These are a few of the States that have pursued the enlightened policy which the Committee now urges upon this legislature, *and the fruits of that policy are to be seen in the increased prosperity they now enjoy.*

Alabama, from her geographical position, may become the great highway for all the improvements which run from the Northeast to the Southwest. It depends upon the energy of her citizens and the policy of her legislation, whether she will take advantage of this position and improve the rich store entrusted to her, whether she will stand still and behold unmoved the exhaustion of her soil and the emigration of her citizens, and yield, without a struggle, the profits of her remnant of agriculture and commerce to enrich other States and build up foreign cities that add nothing to her strength and pay no tribute for her protection.

Believing that public sentiment in this State is now fully aroused to the importance of this subject, the Committee submit with hope and confidence the accompanying bill.

P. PHILLIPS,
Chairman Committee on Internal Improvement.

On motion of

Mr. Goldsby, said report was laid on the table, and one thousand copies thereof ordered to be printed for the use of the House.

Mr. Hendree presented the memorial of James Alexander Watterson, which was referred to the Committee on Education.

Mr. Nathaniel Davis offered the following as an additional rule, which lies over one day:

That after the first day of December, the House of Representatives will assemble at half-past 9 o'clock, A. M., and adjourn at 1 o'clock, P. M.; meet again at 3 o'clock, and adjourn at 5 o'clock on each legislative day.

Mr. Cox offered the following resolution, which was adopted:

Resolved, That the door keeper of the House be instructed to place in the office of the Secretary of State one hundred copies of the report of the inspectors and physician of the penitentiary, when printed, for distribution among the several States and State Prisons of the United States, after first furnishing the lessee, inspectors and physician of the penitentiary with one copy each.

The House then proceeded to the consideration of the messages from the Senate heretofore transmitted by Mr. Kidd.

The resolution from the Senate proposing to elect a solicitor for the sixth judicial circuit on Friday, was amended by inserting "Tuesday next," in lieu of "Friday," and concurred in as amended.

The following bills from the Senate were severally read and ordered to a third reading:

To define more particularly the duties of the commissioners of the turnpike roads, Lawrence county, granted to John Moore and D. G. Ligon, by charter from the legislature of this State, approved 3d February, 1846:

Conferring certain powers on the judge of the circuit court of Mobile county, and on the judge of the city court of Mobile.

The House concurred in the amendments of the Senate to House bills:

To repeal in part a certain act therein named; and for other purposes:

To repeal in part the third section of an act therein named, (county treasurer of Russell:)

To authorise the building a court house in the county of Coffee:

To provide for the sale of the insolvent and doubtful claims belonging to the estate of Samuel Sevier, deceased.

The House refused to concur in the amendment of the Senate to the bill to authorise the town marshal of Talladega to execute process issued by justices of the peace within the limits of said county. Yeas 21; nays 64.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Ashley, Bass, Boon, Booth, Bulger, Cox, Nich. Davis, Earnest, Gladney, N. S. Graham, Henshaw, Holley, F. S. Jackson, Liddell, Nicks, Pool, Shelley, Shorter and Tarrant.

Those who voted in the negative are, Messrs. Adams, Allison, Austin, Banks, Benbow, Bradford, Brown, Bussey, Byrd, Campbell, Carlisle, Clements, Cooper, Critcher, James W. Davis, Nath. Davis, William P. Davis, Glover. Gonder, Hall, Hopkins, Howard, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Larkin, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Moss, Oates, Pettey, Phillips, Prentice, Presley, Reaves, Roper, Rowe, John Smith, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Stone, Turner. Walker, Walton, Warren, Webb, Whitsitt, George W. Williams, Price Williams, Williamson, Wilson and Woolsey.

The House then resumed the consideration of the resolution heretofore offered by Mr. Phillips in relation to the new code.

On motion of

Mr. Shorter, the resolution was amended by inserting after the word "nine," "not more than five of whom shall be members of the legal profession."

Mr. Bulger moved to amend said resolution by requiring said committee to report all alterations made in the existing laws. Said motion was lost.

Mr. Howard moved to amend said resolution by requiring said committee to report to the House as they progress. Said motion was lost.

And then, the resolution of

Mr. Phillips, as amended, was adopted:

Mr. Phillips offered the following resolution, which was adopted:

Resolved, That the Committee on Internal Improvement be instructed to report a bill recommending such a system of internal improvement as is required by the present public wants of the people of the State, specifying the different objects which, in the opinion of the committee, are most deserving at this time the attention of the State, and reporting also how far it would be proper for the State to encourage and aid the same.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To regulate the compensation of jurors in the county of Bibb:

To authorise Edwin A. Glover to change a road therein named:

To divorce certain persons therein named, and for other purposes:

Providing for the pay of jurors in Fayette county:

To incorporate the Tuscaloosa Marine and Fire Insurance Company:

And the bill from the Senate to designate the lines between certain regiments therein mentioned:

Were severally read the third time and passed.

The bill from the Senate for the payment of M. McCarty, jailor of Jefferson county, was read the second time and referred to the Committee on Accounts.

The bill from the Senate to amend an act to incorporate the Fireman's Insurance Company of Mobile was read the second time and referred to the Committee on Corporations.

The bills:

To divorce certain persons therein named:

Providing for the payment of fines and forfeitures in the county of DeKalb:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill to amend the charter of the Eufaula and Mobile Railroad Company was read the second time and referred to the Committee on Internal Improvement.

The bill for the relief of Samuel L. Barnes, of Covington county, was read the second time and referred to the Committee on Propositions and Grievances.

The bill for the relief of Jason Nobbs, of Covington county, was read the second time and referred to the Committee on the Judiciary.

The bill to refund to George White certain taxes overpaid by him was read the second time.

Pending the question of ordering said bill to a third reading, the hour of 12 having arrived, the Senate, by invitation, appeared within the hall of the House, and the two Houses in convention proceeded to the election of a solicitor for the fifth judicial circuit, Messrs. James M. Adams, Thomas B. Cooper, James B. Martin, Wm. H. Moore, Edward C. Betts and S. McSpadden being in nomination.

Those who voted for Mr. Adams are, Messrs. Aldridge. Frazier, Kelly. Mathews. Pearson. Stephenson, Storrs and Toulmin, of the Senate—8. Messrs. Austin, Boon Brown. James W. Davis, Earnest, Gladney, Glover, Jones. Majors. Manasco, McCollum. McMullen. Moss, Prentice. Staton, Stephens, Stone, Turner and Wilson. of the House—19: 8—27.

Those who voted for Mr. Cooper are, Messrs. President. Baker, Bibb. Crenshaw, Perrin and Watrous, of the Senate—6. Messrs. Allison. Banks. Benbow. F. S. Jackson, Larkin, Roper, John Smith. Walton. Warren. Seaborn Williams and Woolsey, of the House—12: 6-18

Those who voted for Mr. Martin are, Messrs. Flewellin, Heflin, James, Leslie, Walker and Winston. of the Senate—6. Messrs. Allen Bulger, Campbell. Carlisle. Cox. Nicholas Davis, W. P Davis, Goldsby, N. S. Graham, Hendree, Howard. J W. W. Jackson. McCaskill, Phillips. Pool. Price, Reaves. Rowe, Shorter, Tarrant. Whitsitt and George W. Williams, of the House—23: 6—29

Those who voted for Mr. Moore are. Messrs. Cocke. Fleming, Jones. O'Neal. Ricks, Saunders and Tarrant, of the Senate—7. Messrs. Ashley. Benham. Booth, Bradford. Bussey, Clements, Gonder, Henshaw. Holley. Hopkins, Kavanaugh. M. A King. Porter King. Lea, McAllister, W. M. Smith, Price Williams and Williamson. of the House—18: 7—25.

Those who voted for Mr. Betts are, Messrs. Jemison, Malone and Patton, of the Senate—3. Messrs. Speaker, Armstrong, Byrd. Oates. Pettey. Robinson, Sterrett, Walker, Wallace, Watkins and Webb. of the House—11: 3—14.

Those who voted for Mr. McSpadden are Mr. Garrett, of the Senate—1. Messrs Bennett, Nathaniel Davis, Hall, Liddell. Moragne, Nicks, Presley, Shelley and Srowden, of the House—9: 1—10.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Kelly, Mathews. Pearson, Ricks, Stephenson, Stone, Saunders and Toulmin, of the Senate—10. Messrs Austin, Brown, James W. Davis, Nathaniel Davis, Earnest, Gladney, Glover, Jones, Majors, Manasco, McCollum, McMullen. Moss, Prentice, Rowe. Staton, Stephens, Snowden, Turner, Price Williams and Wilson, of the House—23: 10—33.

Those who voted for Mr. Cooper are. Messrs. President, Baker, Bibb, Crenshaw, Perrin and Watrous, of the Senate—6. Messrs. Speaker, Allison, Banks, Bass, Benbow, F. S Jackson, Larkin John Smith, Walton, Seaborn Williams and Woolsey, of the House—11: 6—17.

Those who voted for Mr. Martin are, Messrs. Flewellin, Heflin, James, Leslie, Walker and Winston, of the Senate—6 Messrs. Allen Bulger, Campbell, Cox, Nicholas Davis, W. P. Davis, Goldsby, N S. Graham, W. C. Graham, Hendree Howard, J. W. W Jackson, Porter King, McCaskill, Phillips, Pool, Price, Reaves, Shorter, Tarrant, Whitsitt and G. W Williams, of the House—21: 6—27.

Those who voted for Mr. Betts are, Messrs. Jemison, Malone and Patton, of the Senate—3 Messrs Armstrong Byrd, Oates, Pettey, Robinson, Sterrett, Walker, Watkins and Webb, of the House—9: 3—12.

Those who voted for Mr. Moore are, Messrs. Cocke, Fleming, Jones, O'Neal and Tarrant, of the Senate—5. Messrs. Ashley, Benham, Booth, Bradford, Bussey, Carlisle, Clements, Gonder, Henshaw, Holley Hopkins, Kavanaugh, M. A. King, Lea, Liddell, Moragne, McAllister, Presley, W. M. Smith, Wallace and Williamson of the House—20: 5—25.

Those who voted for Mr. McSpadden are. Mr. Garrett, of the Senate—1. Messrs. Bennett, Hall, Liddell, Nicks, Shelley and Warren, of the House—6: 1—7.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Kelly, Pearson, Stephenson, Storrs, Saunders and Toulmin, of the Senate—8. Messrs Austin, Benbow Boon, Brown, J. W. Davis, Earnest, Gladney, Glover, Hall, Jones, Majors, Manasco, McCollum, McMullen, Moss, Prentice, Rowe, Staton, Stephens Stone, Turner, Price Williams and Wilson, of the House—24: 8—32.

Those who voted for Mr. Cooper are, Messrs. President, Baker, Bibb, Crenshaw, Perrin and Watrous, of the Senate—6. Messrs. Allison, Banks, Bass, Critcher, Gonder, F. S. Jackson, Larkin, Presley, Roper, John Smith, Tarrant, Walton, Seaborn Williams and Woolsey, of the House—14: 6—20.

Those who voted for Mr. Martin are, Messrs. Flewellin, Heflin, James, Jemison, Leslie, Walker and Winston, of the Senate—7. Messrs. Allen, Bulger, Campbell, Cox, Nich. Davis, W. P Davis, Goldsby, W. C. Graham, Howard, J. W. W. Jackson, Porter King, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Shorter, Whitsitt and Geo. W. Williams, of the House —20 : 7—27.

Those who voted for Mr. Mooro are. Messrs. Cocke, Fleming, Jones, O'Neal and Tarrant, of the Senate—5. Messrs. Ashley, Benham. Booth, Bradford, Bussey, Carlisle, Clements, Henshaw, Holley, Hopkins, Kavanaugh. Lea, W. M. Smith, Snowden, Wallace and Williamson, of the House—16 : 5—21.

Those who voted for Mr. Betts are, Mr. Malone, of the Senate—1. Messrs. Speaker, Armstrong, Byrd, M. A. King, Oates, Robinson, Sterrett, Walker, Watkins and Webb, of the House, —10 : 1—11.

Those who voted for Mr. McSpadden are, Messrs. Garrett, Mathews, Patton and Ricks, of the Senate—4. Messrs. Bennett, Hendree. Liddell, Moragne, Nicks, Shelley and Warren, of the House—7 : 4—11

Neither of the candidates having received a majority of the number of votes given, the convention proceeded to ballot a fourth time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Kelly, Mathews, Pearson. Stephenson, Storrs and Toulmin, of the Senate—8. Messrs. Austin, Benbow, Boon, Brown, Bulger, Campbell. James W. Davis, Nathaniel Davis, Earnest, Gladney, Glover, N. S. Graham, Hall, Jones, Majors, Manasco, McCollum, McMullen. Moss. Prentice, Rowe, Staton, Stone, Turner. Price Williams and Wilson, of the House—27 : 8—35.

Those who voted for Mr. Cooper are, Messrs. Baker, Bibb, Crenshaw, Perrin, Saunders and Watson, of the Senate—6.— Messrs. Speaker, Banks. Bass, Gonder. F. S. Jackson, Larkin, John Smith, Tarrant, Wilson and Seaborn Williams, of the Senate—11 : 6—17.

Those who voted for Mr. Martin are, Messrs. Flewellin, Hopkins. Jones, Jemison, James. Leslie and Walker, of the Senate—7. Messrs. Allen. Cox, W P. Davis, Goldsby. Howard, J. W. W. Jackson, Porter King, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Shorter, Whitsitt and G. W. Williams, of the House—17 : 7—24.

Those who voted for Mr. Moore are, Messrs. Cocke, Fleming, O'Neal and Tarrant, of the Senate—4. Messrs. Ashley, Benham, Booth, Bradford, Bussey, Clements, Holley, Hopkins, Kavanaugh, M. A. King, Lea, Roper, W. M. Smith, Snowden, Wallace and Williamson, of the House—16 : 4—20.

Those who voted for Mr. Betts are, Messrs. Malone and Ricks, of the Senate—2. Messrs. Armstrong, Byrd, Nich. Davis, Hendree, Henshaw, Oates, Pettey, Presley, Robinson, Sterrett, Walker, Watkins and Webb, of the House—13 : 2—15.

Those voted for Mr. Speaker are, Messrs. President, Garrett and Patton, of the Senate—3. Messrs. Allen, Bennett, Carlisle, Liddell, Moragne, Nicks, Shelley and Warren, of the House—8: 3—11.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fifth time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Kelly, Mathews, Pearson, Stephenson, Storrs and Toulmin, of the Senate—8. Messrs. Austin, Benbow, Boon, Brown, Bulger, J. W. Davis, Nathaniel Davis, Earnest, Gladney, Glover, N. S. Graham, Hall, Jones, Majors, Manasco, McCollum, McMullen, Moss, Prentice, Rowe, Staton, Stone, Turner, Price Williams and Wilson, of the House—26: 8—34.

Those who voted for Mr. Cooper are, Messrs. Speaker, Baker, Bibb, Crenshaw, Perrin, Saunders and Watrous, of the Senate—7. Messrs. Allen, Banks, Baker, Carlisle, Gonder, Holley, F. S. Jackson, Larkin, Roper, John Smith, Walton, Warren, Seaborn Williams and Woolsey, of the House—14: 7—21.

Those who voted for Mr. Martin are, Messrs. Flewellin, Heflin, James, Jemison, Jones, Leslie, Ricks, Walker and Winston, of the Senate—9. Messrs. Allen, Campbell, Cox, Nich. Davis, W. P. Davis, Goldsby, W. C. Graham, Howard, J. W. W. Jackson, Porter King, McAllister, McCaskill, Nicks, Phillips, Pool, Price, Reaves, Robinson, Shorter, Tarrant, Whitsitt and Geo. W. Williams, of the House—21: 9—30.

Those who voted for Mr. Moore are, Messrs. Cocke, Fleming and O'Neal, of the Senate—3. Messrs. Ashley, Benham, Booth, Bradford, Bussey, Clements, Hopkins, Kavanaugh, M. A. King, Lea, Presley, W. M. Smith, Snowden, Wallace and Williamson, of the House—16: 3—19.

Those who voted for Mr. Betts are, Messrs. Malone and Patton, of the Senate—2. Messrs. Speaker, Armstrong, Byrd, Henshaw, Oates, Sterrett, Walker, Watkins and Webb of the House—9: 2—11.

Those who voted for Mr. McSpadden are, Messrs. Garrett and Patton, of the Senate—2. Messrs. Hendree, Liddell, Moragne, and Shelley, of the House—4: 2—6.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a sixth time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Kelly, Mathews, Pearson, Stephenson, Storrs and Toulmin, of the Senate—8. Messrs. Austin, Benbow, Boon, Brown, Bulger, Campbell, J. W. Davis, Nathaniel Davis, Earnest, Gladney, Glover, N. S. Graham Hall, Jones, Majors, Manasco, McCollum, McMullen, Moss, Rowe, Staton, Stephens, Stone, Turner, P. Williams and Wilson, of the House—26: 8—34.

Those who voted for Mr. Cooper are, Messrs. President, Baker, Bibb, Crenshaw, Perrin, Rix and Watrous, of the Senate—7. Messrs. Allison, Banks, Bass, F. S. Jackson, Larkin, Roper, John Smith, Walton, Warren, Seaborn Williams and Woolsey, of the House—11: 7—18.

Those who voted for Mr. Martin are, Messrs. Flewellin, Heflin, James, Jemison, Jones, Leslie, Walker and Winston, of the Senate—8. Messrs. Allen, Cox, Nich. Davis, W. P. Davis, Goldsby, W. C. Graham, Holley, Howard, J. W. W. Jackson, Porter King, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Robertson, Shorter, Snowden, Whitsitt and G. W. Williams, of the House—21: 8—29.

Those who voted for Mr. Moore are, Messrs. Cocke. Fleming, O'Neal and Tarrant, of the Senate—4. Messrs. Ashley, Benham, Booth, Bradford, Bussey, Clements, Gonder, Hopkins, Kavanaugh, M. A. King, Lea, W. M. Smith and Wallace, of the House—13: 4—17.

Those who voted for Mr. Betts are, Messrs. Malone and Patton, of the Senate—2. Messrs. Speaker, Armstrong, Byrd, Carlisle, Henshaw, Oates, Pettey, Presley, Sterrett, Tarrant, Walker, Watkins, Webb and Williamson, of the House—14: 2—16.

Those who voted for Mr. McSpadden are, Mr. Garrett, of the Senate—1. Messrs. Bennett, Liddell, Moragne, Nicks, Prentice and Shelley, of the House—6: 1—7.

Neither of the candidates having received a majority of the whole number of votes given, the convention, on motion, adjourned until Monday morning at 11 o'clock.

The Senate withdrew and the House resumed the consideration of its appropriate business.

Mr. Phillips, from the Committee on the Judiciary, to whom was referred the resolution instructing said committee to enquire into the expediency of adding a judge or judges to the supreme court bench, reported a bill to add an additional judge to the supreme court bench. Said bill was read the first time and passed.

Mr. Webb, from the minority of the same committee, made the following report:

That they deem it inexpedient to make such addition to the number of judges who preside in said court at this time. The minority of said committee are of the opinion that the business of the common law courts. as well as the business of the courts of chancery in this State, are now rapidly diminishing both in the number of the suits being brought and the amount involved in litigation, whereby the number of suits that are being removed to the supreme court is also being diminished. Your minority would beg leave to suggest that since the legislature abolished the common law of the county courts, all that branch of judicial investigation is had before more competent judges than filled the office of judge in the several counties in this State. Your minority believe that the proposition of the majority of your committee to add but one judge is inexpedient, because it would be an unusual number to preside in a court of high appellate jurisdiction, unprecedented, as your minority believe, in the history of jurisprudence. Also, for the reason that the courts would thereby consist of four members, and whenever the opinion of its members should be equally divided on any case submitted to them, that the decision of the court would only be the law for that particular case, and not the law beyond that special adjudication, thereby rendering that uncertain which should be desired to be settled and fixed.

Again, your minority believe that the labors of the judges so much complained of at present would not be materially lightened by the change proposed, if the judges of said court examine the records submitted to them, hear the arguments of counsel, and hold a consultation as to the opinion to be delivered, except as to mere manual labor to be performed in writing out their opinions by said judges.

Lastly, it will be adding to the burdens of the people by taxing them to pay for the services of a judge neither demanded by the wishes of the people nor the necessities of the business of said court. For these reasons and others equally potent that could be adduced by the minority of said committee, they have been constrained to differ with the majority.

[Signed.] J. D. WEBB,
JAMES M. ADAMS,
W. P. DAVIS,
JAMES B. WALLACE.

The bill introduced by Mr. Phillips and the report of the said minority were postponed until Thursday next and made the special order of the day for 12 M. on said day.

Mr. Francis S. Jackson, offered the following resolution:

Resolved, That the use of the hall be tendered to the Hon. Samuel Houston, of Texas, at 7 o'clock this evening.

Mr. Hall moved to lay said resolution on the table, which was lost. Yeas 12; nays 75.

Those who voted in the affirmative are, Messrs. Austin Nath. Davis, William P. Davis, Goldsby, N. S. Graham, Hall, McCaskill, McMullen, Robinson, Shorter and George W. Williams.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Allison, Armstrong, Ashley, Banks, Bass, Benbow, Benham, Bennett, Boon, Booth, Bradford, Bulger, Bussey, Byrd, Carlisle, Clements, Cooper, Cox, Critcher, J. W. Davis, Earnest, Glover, Gonder, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Larkin, Lea, Liddell, Majors, Manasco, Moragne, McAllister, McCollum, Moss, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Reaves, Roper, Shelley, John Smith, Welsey M. Smith, Staton, Stephens, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, Seaborn Williams, Williamson, Wilson and Woolsey.

And the resolution was adopted.

The House adjourned until Monday morning, at 10 o'clock.

MONDAY, December 1, 1851.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

On motion of

Mr. Phillips, ordered that the Private Secretary of the Governor be authorised to withdraw the new code for the purpose of laying the same before the Senate.

Mr. Moss, from the Committee on Enrolled Bills, reported as correctly enrolled an act accepting of the donation of lands made by the Congress of the United States to aid in the construction of a railroad from the city of Mobile to the mouth of the Ohio river.

Bills were introduced by

Mr. Ashley, to regulate the attendance of witnesses in criminal causes in the county of Conecuh:

Mr. Manasco, to regulate the duties of the judge of probate and commissoners of roads and revenue of the county of Walker to lay off said county into commissioners' districts:

Mr. Wallace, to incorporate the town of North Port, in Tuscaloosa county:

Mr. Webb, to provide for the printing and distributing the code, and for other purposes. And were severally read and ordered to a second reading.

Mr. Majors introduced a bill to change the line between the counties of Marshall, Jackson and DeKalb, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to a select committee composed from the representation from the counties named in the bill.

Mr. George W. Williams presented the petition of Federick Parker and others, which was referred to a select committee composed of the Representatives from Henry.

Mr. Armstrong introduced a bill to incorporate the Baptist Female Institute at Moulton, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Corporations.

Mr. Phillips introduced a bill to incorporate the New York and Alabama steamship company, which was read and the constitutional rule being suspended, was read a second time forthwith, and referred to the Committee on Internal Improvement.

Mr. Stone presented the petition of James Huffman and Wiseman Cork, which was referred to the Committee on County Boundaries.

Mr. Stone introduced a bill authorising the appointment of a guardian for the property and estate of Zachariah Herndon in the State of Alabama, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on the Judiciary.

Mr. Price Williams presented the account of Bates and Newhall and of W. Dobson, which was referred to the Committee on Claims.

Reports.

Mr. Phillips, from the Committee on Internal Improvement, to whom was referred the bill to incorporate the Mobile and New Orleans railroad company, reported the same back. Said bill was ordered to be engrossed for a third reading.

Mr. Robinson, from the Committe on Education, to whom was referred the petition of citizens of Sumter county in relation to the Brownsville Academy, reported the same back as improperly referred. Said petition was, on motion of Mr. Larkin, referred to the Committee on Corporations.

Mr. Stone, from the Committee on the University, to whom was referred the bill to incorporate the Alumni of the University of Alabama, reported the same back to be engrossed for a third reading.

Mr. Cox offered the following resolution, which was adopted:

Resolved, That the Committee on Military be instructed to enquire into and report to the House what repeals. modifications or amendments are necessary to be made to render the militia laws of the State intelligible and efficient, and that they report by bill or otherwise.

On motion of Mr. Byrd, the report of Mr. Francis S. Lyon, commisstoner and trustee, &c., was taken from the table and referred to the Committee on the State Bank and Branches.

Mr. Earnest offered the following resolution, which, on motion of

Mr. Nathaniel Davis, was postponed until the 8th inst.:

Resolved, That the doorkeeper of the Senate employ a suitable white boy to assist him, whose wages shall not exceed one dollar per day.

Mr. Earnest offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of a law to protect the guardians of female wards who may marry before they attain their majority.

Mr. Stephens offered the following resolution, which was adopted:

Resolved, That the Committee on the State Bank and Branches be instructed to enquire into the propriety of selling to the highest bidder all the real estate belonging to the State bank and branches, and that they report as soon as convenient by bill or otherwise.

The following bills from the Senate, transmitted by Mr. Kidd, were read and ordered to a second reading:

To incorporate the Rough and Ready invincibles:

To change the lines of Jackson and Marshall counties.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The question recurred upon ordering to a third reading the bill to refund to George White taxes overpaid.

Mr. Wm. P. Davis moved to lay said bill on the table.

Pending which question, the hour of 11 A. M. having arrived, the Senate, by invitation, appeared in the hall of the House, and the two Houses in convention resumed the election of a solicitor for the fifth judicial circuit, Mr. McSpadden being withdrawn. The convention proceeded to ballot a seventh time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Kelly, Mathews, Pearson, Stephenson, Saunders and Toulmin, of the Senate—8: Messrs. Speaker, Austin, Boon, Brown, Bulger, Campbell, Coleman, J. W. Davis, Nathaniel Davis, Gladney, Glover, Hall, Jones, Majors, Manasco, McCollum, McMullen, Moss, Prentice, Rowe, Staton, Stephens, Stone, Turner, Price Williams and Wilson, of the House—26: 8—34.

Those who voted for Mr. Cooper are, Messrs. President, Baker, Bibb, Perrin and Watrous, of the Senate—5. Messrs. Bass, Banks, Benbow, Carlisle, Holley, F. S. Jackson, Larkin, Nicks, Presley, Roper, Walton, Warren, S. Williams and Woolsey, of the House--14: 5—19.

Those who voted for Mr. Martin are, Messrs. Flewellin, Garrett, Heflin, Jones, Leslie, Walker and Winston, of the Senate—7. Messrs. Allen, Cox, W. P. Davis, Goldsby, W. C. Graham, J. W. W. Jackson, Porter King, Moragne, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Shorter, Tarrant, Whitsitt and G. W. Williams, of the House—18: 7—25.

Those who voted for Mr. Moore are, Messrs. Crenshaw, Cocke, Fleming, Jemison, O'Neal and Tarrant, of the Senate—6. Messrs. Ashley, Benham, Booth, Bradford, Bussey, Clements, Hopkins, Kavanaugh, M. A. King, Lea, Liddell, Shelley, W. M. Smith, Snowden, Wallace, Webb and Williamson, of the House—17: 6—23.

Those who voted for Mr. Betts are, Messrs. Malone, Patton and Ricks, of the Senate—3. Messrs. Armstrong, Byrd, Henshaw, Oates, Pettey, Robinson, Sterrett and Walker, of the House—8: 3—11.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot the eighth time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazer, Jones, Kelly, Mathews, Pearson, Stephenson, Saunders, Toulmin and Winston, of the Senate—10. Messrs. Austin, Boon, Brown, Bulger, Bussey, Campbell, Coleman, J. W. Davis, N. Davis, Earnest, Gladney, Glover, Hall, Jones, Majors, Manasco, McCollum, McMullen, Moss, Prentice. Rowe. Staton, Stephens, Sterrett, Stone, Turner, Price Williams and Wilson, of the House—30: 10—40.

Those who voted for Mr. Cooper are, Messrs. President, Baker, Bibb, Perrin, Patton and Ricks, of the Senate.—6. Messrs. Banks, Bass, Benbow, Byrd, Hendree, Holley, F. S. Jackson, Larkin, Presley, Roper, Shelley, Walker, Walton, S. Williams and Woolsey—15: 6—21.

Those who voted for Mr. Martin are, Messrs. Flewellin, Garrett, Heflin, Jones, Jemison, Leslie, Malone and Walker, of the Senate—8. Messrs. Allen, Armstrong, Bennett, Clements, Cox, W. P. Davis, Goldsby, W. C. Graham, J. W. W. Jackson, Porter King, Moragne, McAllister, McCaskill, Oates, Pettey, Phillips, Pool, Price, Reaves, Robinson. Shorter, Tarrant, Whitsitt and G. W. Williams, of the House—24: 8—32.

Those who voted for Mr. Moore are, Messrs. Crenshaw, Cocke, Fleming, O'Neal and Tarrant, of the Senate—5. Messrs. Ashley, Benham, Booth, Bradford, Carlisle, Henshaw, Hopkins, Kavanaugh, M. A. King, Lea, Liddell, Nicks. W. M. Smith, Snowden, Wallace, Watkins, Webb and Williamson of the House—18: 5—23.

Neither of the candidates having received a majority of the whole number of the votes given, the convention proceeded to ballot the ninth time, Mr. H. C. Bradford being also in nomination:

Those who voted for Mr. Adams are, Messrs. Aldridge, Frazier, Flewellin, Jones, Kelly, Mathews, Pearson, Stephenson, Toulmin and Winston, of the Senate—10. Messrs. Speaker, Austin, Boon, Brown, Bulger, Bussey, Campbell, Coleman, J. W. Davis, N. Davis, Earnest, Galdney, Glover, Hall, Jones, Majors, Manasco. McCollum, McMullen, Rowe, Staton, Stephens, Sterrett, Turner, Warren, P. Williams and Wallace of the House—28 : 10—38.

Those who voted for Mr. Cooper are. Messrs. President, Baker, Bibb, O'Neal, Perrin, Patton and Watrous, of the Senate—7. Messrs. Banks, Bass, F. S. Jackson, Larkin, Walton, Seaborn Williams and Woolsey, of the House—7 : 7—14.

Those who voted for Mr. Martin are, Messrs. Garrett, Heflin, James, Jemison, Walton and Wallace of the Senate—6. Messrs. Allen, Armstrong, Cox, W. P. Davis, Goldsby, W. C. Graham, Holley, Howard, J. W. W. Jackson. Porter King, Moragne, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Robinson, Roper, Shorter, Tarrant, Whitsitt and Geo. W. Williams, of the House—23 : 6—29.

Those who voted for Mr. Moore are, Messrs. Crenshaw, Cocke, Fleming, Leslie and Tarrant, of the Senate—5. Messrs. Ashley, Benham, Booth. Clements, Hopkins. Lea. Prentice, W M. Smith. Snowden, Walker, Wallace and Webb. of the House—13 : 5—18.

Those who voted for Mr. Bradford are, Messrs. Ricks and Tarrant, of the Senate—2. Messrs. Benbow, Byrd, Carlisle, Hendree, Henshaw, Kavanaugh, M. A King. Liddell, Moss, Nicks, Oates, Pettey, Presley, Shelley, Walker and Williamson. of the House—16 : 2—18.

Neither of the candidates having received a majority of the whole number of votes given. the convention proceeded to ballot the tenth time, Mr. Moore. being withdrawn.

Those who voted for Mr. Adams are, Messrs. Aldridge, Cocke. Frazier, Flewellin, Jones, Kelly, Mathews, Pearson, Stephenson, Saunders, Toulmin and Winston, of the Senate—12. Messrs. Speaker, Allen, Austin, Boon, Brown, Bulger, Bussey, Campbell, Coleman, J. W. Davis, Nath. Davis, Earnest, Gladney, Glover, Hall, Jones, Lea, Majors, Manasco, McAllister, McCollum, McMullen, Moss, Ricks, Prentice, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Stone, Turner, Warren, Price Williams and Wilson, of the House—35 : 12—47.

Those who voted for Mr. Cooper, are Messrs. President, Baker, Bibb, Crenshaw, O'Neal, Perrin, Patton, Tarrant and Watrous, of the Senate—9. Messrs. Ashley, Banks, Bass, Hopkins, Larkin, Snowden, Walton, Watkins, Webb, Seaborn Williams and Woolsey, of the House—11 : 9—20.

Those who voted for Mr. Martin are, Messrs. Garrett, Heflin, James, Jemison, Leslie, Malone and Walton, of the Senate—7. Messrs. Armstrong, Booth, Clements, Cox, W. P. Davis, Goldsby, W. C. Graham, Howard, J. W. W. Jackson, P. King, McCaskill, Phillips, Pool, Price, Reaves, Robinson, Roper, Shorter, Tarrant, Whitsitt and G. W. Williams, of the House—21 : 7—28.

Those who voted for Mr. Bradford are, Mr. Ricks, of the Senate—1. Messrs. Benbow, Byrd, Carlisle, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Oates, Pettey, Presley, Shelley, Walker, Wallace and Williamson, of the House—17 : 1—18.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot the eleventh time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Cocke, Frazier, Flewellin, Jones, Kelly, Mathews, Pearson, Stephenson, Saunders and Toulmin, of the Senate—11. Messrs. Speaker, Allen, Austin, Boon, Brown, Bulger, Bussey, Campbell, Coleman, J. W. Davis, Gladney, Glover, Hall, Jones, Lea, Majors, Manasco, McAllister, McCollum, McMullen, Moss, Phillips, Prentice, Rowe, W. M Smith, Staton, Stephens, Stone, Turner, Warren, Whitsitt, P. Williams and Wilson, of the House—33 : 11—44.

Those who voted for Mr. Cooper are, Messrs. President, Bibb, Crenshaw, Perrin and Watrous, of the Senate—5. Messrs. Banks, Hopkins, Larkin, Snowden, Walton, Watkins, Webb and Woolsey, of the House—8 : 5—13.

Those who voted for Mr. Martin are, Messrs. Garrett, Heflin, James, Jemison, Leslie, Malone, Walker and Winston, of the Senate—8. Messrs. Armstrong, Booth, Clements, Cox, W. P. Davis, Goldsby, W. C. Graham, Holley, Howard, J. W. W. Jackson, Porter King, Moragne, McCaskill, Pool, Price, Reaves, Robinson, Roper, Shorter, Tarrant, G. W. Williams and S. Williams, of the House—22 : 8—30.

Those who voted for Mr. Bradford are, Messrs. Baker, O'Neal, Patton, Ricks and Tarrant, of the Senate—5. Messrs. Ashley, Bass, Benbow, Byrd, Carlisle, Hendree, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Nicks, Oates, Pettey, Presley, Shelley, Sterrett, Walker, Wallace and Williamson, of the House—20 : 5—25.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a twelfth time, Mr. Cooper being withdrawn.

Those who voted for Mr. Adams are, Messrs. Aldridge, Cocke, Frazier, Flewellin, Jones, Kelly, Mathews, Pearson, Stephenson. Saunders, Toulmin and Winston, of the Senate—12. Messrs. Speaker. Austin. Banks. Boon, Brown, Bulger, Bussey, Campbell, Coleman, Cooper, J. W. Davis. Nathaniel Davis, Earnest, Gladney, Glover Hall. Jones, Lea, Majors, Manasco, McCollum, McMullen, Moss, Nicks. Phillips, Prentice, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Stone. Tarrant. Warren, Whitsitt, P. Williams, Wilson and Woolsey, of the House—38: 12—50.

Those who voted for Mr. Martin are. Messrs. Crenshaw. Garrett, Heflin, James, Jemison, Leslie. Malone, Perrin and Walker, of the Senate—9. Messrs. Allen, Armstrong. Booth, Cox, W. P. Davis. Goldsby, W. C. Graham. Holley, Howard, J. W. W. Jackson, Porter King. Moragne. McAllister, McCaskill, Pool, Price, Reaves. Robinson, Roper. Shorter. Snowden, Tarrant, G. W. Williams and S. Williams, of the House—24: 9—33

Those who voted for Mr. Bradford are, Messrs President, Baker, Bibb. Fleming. O'Neal. Patton. Ricks. Tarrant and Watrous. of the Senate—9. Messrs. Ashley. Bass. Benbow, Byrd. Carlisle. Hendree, Henshaw, Hopkins F. S. Jackson. Kavanaugh, M. A. King. Larkin. Liddell. Oates. Pettey, Presley, Shelley, Walker, Wallace Walton, Watkins, Webb and Williamson, of the House—23: 9—32.

Neither of the candidates having received a majority of the whole number of votes given. the convention proceeded to ballot a thirteenth time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Cocke. Frazier, Flewellin, James. Jones. Kelly, Mathews, Pearson, Stephenson. Saunders, Toulmin and Winston. of the Senate—13. Messrs. Speaker. Allen, Austin, Banks, Boon. Brown. Bulger, Bussey, Campbell. Coleman. J. W. Davis Nathaniel Davis, Earnest, Gladney. Glover. Hall, Jones. Lea, Majors. Manasco, McCollum, McMullen, Moss, Nicks. Phillips. Prentice. Rowe, W. M. Smith. Staton. Stephens. Sterrett. Stone, Turner. Warren, Whitsitt, P Williams, Wilson and Woolsey. of the House—38: 13—51.

Those who voted for Mr Martin are, Messrs. Crenshaw, Garrett, Heflin, Jemison. Leslie, Malone, Perrin and Walker. of the Senate—8. Messrs. Armstrong. Booth, Clements. Cox, W. P. Davis, Goldsby. W. C. Graham, Holley. Howard, J. W. W. Jackson. Porter King, Liddell. McAllister. McCaskill. Pool, Price, Reaves, Robinson, Roper. Shorter, Snowden, Tarrant, Walker, G. W. Williams and S. Williams of the House—28: 8—36.

Those who voted for Mr Bradford are, Messrs. President, Baker, Bibb. O'Neal, Patton, Ricks. Tarrant and Watrous, of the Senate—8. Messrs. Ashley, Bass, Benbow, Benham, Boyd.

Carlisle, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Larkin, Oates, Pettey, Presley, Shelley, Wallace, Walton. Watkins, Webb and Williamson, of the House—22 : 8—30.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fourteenth time.

Those who voted for Mr. Adams are. Messrs. Aldridge, Cocke, Frazier, Fleming, James, Jones, Kelly. Mathews. Pea[illegible] [illegible]ephenson, Toulmin and Winston, of the Senate—12. Messrs. Speaker, Allen, Austin, Banks, Boon. Brown. Bulger, Bussey, Campbell, Coleman. J. W. Davis, Nathaniel Davis, Earnest, Gladney, Glover, Hall. Howard, Jones, Lea, Majors, Manasco, McAllister, McCollum. McMullen, Prentice, Robinson, Rowe, W. M. Smith, Staton, Stephens, Sterrett Stone. Tarrant, Warren Whitsitt, G. W Williams, P. Williams, Wilson and Woolsey. of the House—39

Those who voted for Mr. Martin are, Messrs. Crenshaw, Garret, Heflin, Jemison, Leslie, Malone, Perrin and Walker of the Senate—8. Messrs. Armstrong, Booth, Byrd, Clements, Cox, W. P. Davis, Goldsby, W. C. Graham, Holley, J. W. W. Jackson, Porter King, McCaskill, Nicks, Pool, Price, Reaves, Roper and Shorter, of the House—18 : 8—26.

Those who voted for Mr. Bradford are, Messrs. President, Baker, Bibb, O'Neal. Patton, Ricks. Saunders, Tarrant and Watson, of the Senate—9. Messrs. Ashley. Bass, Benbow, Carlisle, Hendree, Henshaw, Hopkins. F. S. Jackson, Kavanaugh, M. A. King, Larkin, Liddell, Oates. Pettey. Presley, Shelley, Snowden, Tarrant, Walker, Wallace. Walton. Watkins, Webb, S. Williams and Williamson, of the House—25 : 9—34.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fifteenth time.

Those who voted for Mr. Adams are, Messrs. Aldridge, Cocke, Frazier, Flewellin, James, Jones, Mathews, Pearson, Stephenson, Saunders, Toulmin and Winston, of the Senate—12. Messrs. Speaker, Allen, Austin, Banks, Boon, Bulger, Bussey, Campbell, Clements, Coleman, J W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Glover, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Moss, Phillips, Pool, Prentice, Robinson, Rowe, W. M. Smith, Staton, Stephens, Stone, Turner, Warren, Whitsitt, G. W. Williams, Wilson and Woolsey, of the House—47 : 12—59.

Those who voted for Mr. Martin are, Messrs. Armstrong, Booth, Cox, Holley, Porter King, Price, Reaves, Roper, Tarrant and

S. Williams, of the House—10. Messrs. Heflin, Jemison, Leslie, Perrin and Walker, of the Senate—6: 10—16.

Those who voted for Mr. Bradford are, Messrs. President, Baker, Bibb, Crenshaw, Fleming, Malone, O'Neal, Patton, Ricks, Tarrant and Watrous, of the Senate—11. Messrs. Ashley, Bass, Benbow, Benham, Byrd. Carlisle, Hendree, Henshaw, Hopkins, F. S. Jackson. Kavanaugh, M. A. King, Larkin, Liddell, Nicks, Oates, Pettey, Presley, Shelley, Sterrett, Snowden, Walker, Wallace, Walton, Watkins. Webb and Williamson, of the House—27: 11—38.

Mr. Adams having received a majority of the whole number of votes given, was declared by Mr Speaker, to have been duly and constitutionally elected solicitor of the fifth judicial circuit for the time prescribed by law.

The Senate then withdrew, and the House resumed the consideration of its appropriate business.

On motion of Mr. Cooper, the orders of the day were suspended to enable him to introduce the following resolutions:

Whereas, since the adjournment of the last session of the General Assembly of this State, the American Union has passed through an alarming crisis, growing out of the agitation of the slavery question. A darker or more exciting period has not fallen upon the country since the days of the revolution. Our purest and wisest statesmen and patriots stood appalled on the floor of the American Senate and entertained serious and alarming fears for the safety and perpetuity of the Union.

At that time a cloud portentous and frequent with elements of civil war hung over the land, and none could tell how soon it would burst and scatter its thunder bolts broad-cast throughout the land.

In this hour of gloom, patriotism prompted, amongst other friends of this glorious Union, the two Senators of our own State, Messrs. King and Clemens, to stand by the constitution and the government without disparagement to others who united with them in the firm, unflinching stand assumed by them and so steadily maintained on the floor of the Senate in favor of the compromise measures during their passage. They as the representatives of the sovereignty of this State, are entitled to and should receive the warmest thanks of the people's representatives for their wise and patriotic support of those measures.—Therefore—

Be it resolved by the Senate and House of Representative of the State of Alabama in General Assembly convened, Tha our thanks are due and are hereby tendered to the Hon. Wm. R. King and the Hon. Jere Clemens, our Senators in Congress for the patriotic stand they assumed in the Senate of the United States in favor of the measures of adjustment known as the compromise measures, and we cordially approve and adopt their course.

2d. *Resolved*, That his excellency the Governor be requested to forward to each of our said Senators a copy of the foregoing preamble and resolutions.

Mr. Nathaniel Davis moved to lay said resolutions on the table.

Mr. Wilson moved to postpone their further consideration until the 4th Monday in January, which motion was lost. Yeas 42; nays 45.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Boon, Brown, Bulger, Bussey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Gladney, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Larkin, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Reaves, Robinson, Rowe, Sharter, Stephens, Stone, Tarrant, Turner, Whitsitt and Wilson.

Those who voted in the negative are, Messrs. Armstrong, Ashley, Banks, Bass, Benbow, Benham, Booth, Bradford, Byrd, Carlisle, Cooper, Critcher, Glover, Goldsby, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Majors, McCollum, Moss, Nicks, Oates, Pettey, Presley, Shelley, W. M. Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

On motion of Mr. M. A. King, said resolutions were referred to the Committee on Federal Relations.

Mr. Hendree offered the following resolution, which was adopted:

Resolved, That the Committee on Education be authorised to employ a clerk. Yeas 67; nays 15.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Armstrong, Ashley, Banks, Bass, Benbow, Benham, Boon, Booth, Bradford, Bussey, Byrd, Campbell, Carlisle, Clements, Cooper, Cox, James W. Davis, W. P. Davis, Earnest Gladney, Goldsby, W. C. Graham, Hall, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Larkin, Liddell, Majors, McAllister, McCaskill, Moss, Nicks, Oates, Pool, Presley, Price, Rowe, Shelley, Shorter, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, G. W. Williams, S. Williams, P. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Austin,

Brown, Critcher, Nathaniel Davis, Lea, Manasco, McCollum, McMullen, Reaves, Roper, W. M. Smith, Staton, Stephens and Wilson.

The resolution of Mr Davis in relation to the afternoon session was laid on the table for the present.

And then the House adjourned until to-morrow morning, at 10 o'clock.

DECEMBER 2, 1851.

The House met pursuant to adjournment.

Bills were introduced by:

Mr. Cooper, to incorporate the Coosa and Chattanooga Railroad Company:

Mr. Watkins, to provide for the support of lunatic paupers of the county of Franklin:

Mr. George W. Williams, for the relief of Harrison F. Bizzle:

Mr. M. A. King, to incorporate the town of Maysville, in the county of Madison:

Mr. Brown, to repeal an act therein named:

Mr. McCaskill, to authorise Wm. Salle, guardian, to purchase certain property therein named for the use of his ward:

Mr. F. S. Jackson, to change the fees of the judge of probate in the county of Montgomery:

Mr. Porter King, to incorporate the Alabama and Mississippi Railroad Company:

Mr. Larkin, to incorporate the Brewersville Academy:

Mr. Whitsitt, relating to the appointment of guardians in certain cases:

Mr. Turner, to incorporate the Preachers' Aid Society of the Methodist Episcopal Church, South:

Mr Oates, to incorporate the White Plume Riflemen:

And were read and ordered to a second reading.

Mr. Byrd introduced a bill to exempt from sale certain property therein named. Said bill was read and the House refused to order it to a second reading.

Mr. F. S. Jackson presented the account of L. L. Whatley, which was referred to the Committee on Accounts.

Mr. Campbell presented the petition of John T. Rather and John Orr, which was referred to the Committee on Propositions and Grievances.

Mr. Gladney introduced a bill to incorporate the Alabama Direct Trade and Exchange Company, and for other purposes, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Ways and Means.

On motion of

Mr. Glover, said committee was instructed to cause to be printed one hundred and thirty-three copies of said bill as it shall be reported back.

Reports.

Mr. Walker, from the Committee on the Judiciary, to whom was referred the bill to facilitate the preparation of causes in the supreme court, reported the same back with an amendment, to be numbered section 6.

On motion of

Mr. Walker, the consideration of said report was postponed until the 16th instant, and made the special order for 12 M. on said day.

Mr. Walker, from the same committee, to whom was referred the bill relating to judicial proceedings, reported the same back.

On motion of

Mr. Lea, said bill was ordered to lie on the table f esent.

Mr. Phillips, from the Committee on Internal Improvement, to whom was referred the bill to incorporate the Mobile and Philadelphia Steamship Company and the bill to charter the Wills' Valley Railroad Company, reported the same back.

Said bills were severaid. ordered to be engrossed for a third reading.

withdi

Mr. Goldsby, from til to bemittee on Propositions and Grievances, reported back on of N. Robinson as having been improperly referred. the affirm of

Mr. Stephens, it was r x. rred to the Committee on the State Bank and Branches.

Mr. Goldsby, from the same committee, reported back the bill for the relief of Samuel L. Barnes, of Covington county. Said bill was ordered to be engrossed for a third reading.

Mr. Goldsby, from the same committee, to whom was referred the petition of Wilson Jenks, reported adversely thereto. On motion of

Mr. N. S. Graham, said report was laid on the table.

Mr. M. A. King, from the Committee on Corporations, reported back the bill to change the name of the Montgomery Manufacturing Company, and to authorise an increase of the capital stock of the same, and said bill was ordered to be engrossed for a third reading.

Mr. M. A. King, from the same committee, reported adversely to the bill to amend an act incorporating the President and Directors of the Wetumpka Bridge Company. On motion of

Mr. N. S. Graham, the report was laid on the table.

Mr. Nath. Davis moved to amend said bill as follows:

"*Provided, however*, That the capital stock shall never amount to more than fifty thousand dollars."

Said motion was lost, and said bill was ordered to a third reading.

Mr. M. A. King, from the same committee, reported back the engrossed bills:

To amend the charter of the Felton Insurance Company:

To amend the act to incorporate the Fireman's Insurance Company at Mobile

Said bills were severally passed.

Mr. Goldsby, from the Committee on Propositions and Grievances, reported adversely to the petition of Griffin L. Hogan.

On motion of

Mr. Moore, the report was laid on the table.

Mr. Price Williams presented the petition of the Mobile Medical Society, which was referred to the Committee on Corporations.

The House concurred in the following resolution transmitted from the Senate by Mr. Kidd:

Resolved, That a committee of three be appointed by the Senate to act with a like committee on the part of the House to examine and report on the accounts of the commissioner and trustee of the State Bank and Branches.

Messrs. Jemison, James and Wie the composed the committee on the part of the Senate. Mes [illegible] Webb and Armstrong on the part of the House. e Brewersy

Mr. Wallace presented the appointr of Fountain & Hunt, which was referred to the Committ on Accounts.

Mr. N. S. Graham offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to report what is the law, if any, regulating the salaries of the supreme court judges, and if there be none, that they report a law regulating the same.

Mr. Seaborn Williams moved to reconsider the vote by which the House on this morning refused to order to a second reading the bill to exempt from sale certain property therein named. Said motion prevailed, and the House again refused to order said bill to a second reading. Yeas 41; nays 46.

Those who voted in the affirmative are, Messrs. Allen, Bass, Booth, Bradford, Bussey, Byrd, Carlisle, Clements, Cox, W. P. Davis, Earnest, Glover, Goldsby, N. S. Graham, Hendree, Hopkins, Howard, J. W. W. Jackson, Kavanangh, P. King, Larkin, Lea, Liddell, Moragne, McCollum, Phillips, Pool, Robinson, Rowe, Shelley, Shorter, Stephens, Sterrett, Tarrant, Turner, Walton, Webb, Whitsitt, P. Williams and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Armstrong, Ashley, Austin, Banks, Benbow, Benham, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Critcher, J. W. Davis, Nathaniel Davis, Gonder, W. C. Graham, Henshaw, Holley, F. S. Jackson, Majors, Manasco, McAllister, McCaskill, McMullen, Nicks, Oates, Prentice, Presley, Price, Reaves, Roper, John Smith, W. M. Smith, Staton. Snowden, Wallace, Warren, Watkins, G. W. Williams, Williamson and Wilson.

Orders of the Day.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To incorporate the Society of the Alumni of the University of Alabama:

To divorce certain persons therein named:

Providing for the payment of fines and forfeitures in the county of DeKalb:

To increase the pay of jailors:

Were severally read the third time and passed.

The House then recurred to the motion of Mr. Wm. P. Davis submitted on yesterday to lay on the table the bill to refund to George White taxes overpaid.

Mr. Davis (by leave) withdrew said motion. and the House refused to order the bill to be engrossed for a third reading. Yeas 20; nays 65.

Those who voted in the affirmative are. Messrs. Adams, Austin, Booth, Brown, Cooper. Cox. Earnest. Hall, Howard. Kavanaugh, Liddell, Majors, McCollum, Shelley, Staton, Stephens, Turner and Warren.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Banks. Bass, Benbow, Benham, Bennett, Boon, Bulger, Bussey, Byrd, Campbell. Carlisle, Clements, Coleman, Critcher, James W. Davis. Nathaniel Davis, W. P. Davis, Gladney, Glover, Goldsby. Gonder, N. S. Graham, W. C. Graham, Henshaw. Holley, Hopkins, F. S. Jackson, Jones, P. King, Larkin, Lea, Manasco, McAllister. McCaskill. McMullen, Nicks, Oates, Pettey, Pool, Presley, Price, Reaves. Roper, Rowe, Shorter, John Smith, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Watkins, Webb. Whitsitt, G. W. Williams, S. Williams, Williamson, Wilson and Woolsey.

The bills:

To equalise the salaries of the several solicitors in the State:

To abolish jury trials in forcible entry and detainer and unlawful detainer:

In relation to testimony before justices of the peace:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill to authorise the governor to furnish arms to the Mobile rifle company, was read a second time and referred to the Committee on the Militia.

The bill to incorporate the Hebrew Benevolent Society of Montgomery was read the second time and referred to the Committee on Corporations.

The Senate then, by invitation, appeared within the hall of the House, and the two Houses in convention proceeded to the election of a solicitor for the sixth judicial circuit, Messrs. C. D. Anderson, L. F. Summers, C. P. Robertson and N. A. Agee being in nomination.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Crenshaw, Cocke, Jemison, Johnson, Malone, O'Neal, Perry, Patton, Stephenson, Tarrant and Watrous, of the Senate—13. Messrs. Adams, Armstrong, Booth, Byrd, Cox, Earnest, Glover, Gonder, Hendree, Holley, Hopkins, Larkin, Lea, Moragne, McCollum, Pettey, Roper, Sterrett, Snowden, Tarrant, Walker, Wallace, Warren, Watkins, Webb and Williamson, of the House—26: 13—39.

Those who voted for Mr. Summers are, Messrs. Baker, Bibb, Frazier, Fleming, Gunn, Jones, Pearson and Ricks, of the Senate—8. Messrs. Ashley, Austin, Bass, Benbow, Benham, Bennett, Bradford, Carlisle, Cooper, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Moss, Nicks, Oates, Prentice, Presley, Shelley, John Smith, Walton, S. Williams and Woolsey, of the House—25: 8—33.

Those who voted Mr. Robertson are Messrs. Mathews and Toulmin, of the Senate—2. Messrs. Speaker, Boon, Bulger, Campbell, Nathaniel Davis, Gladney, Hall, Howard, Jones, McMullen, Phillips, Shorter, Stephens, Stone, Turner, Whitsitt, G. W. Williams, P. Williams and Wilson, of the House—19: 2—21.

Those who voted for Mr. Agee are, Messrs. Flewellin, Garrett, Heflin, James, Kelly, Leslie, Walker and Winston, of the Senate—8. Messrs. Allen, Banks, Brown, Bussey, Clements, J. W. Davis, W. P. Davis Goldsby, N. S. Graham, W. C. Graham, Henshaw, J. W. W. Jackson, Manacso, McAllister, McCaskill, Pool, Price, Reaves, Rowe, W. M. Smith and Staton, of the House—22: 8—30.

Mr. Coleman, of the House, voted for Mr. Critcher.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Crenshaw, Cocke, Jemison, Johnson, Malone, Perrin, Pearson, Patton, Stephenson, Tarrant and Watrous, of the Senate—13 Messrs Adams, Armstrong, Booth, Byrd, Cox, Earnest. Glover, Gonder. Hendree, Holley. Hopkins, Larkin, Lea, Moragne, McCollum, Pettey, Sterrett, Snowden, Tarrant, Walker, Wallace, Watkins, Webb and Williamson, of the House—24: 13—37.

Those who voted for Mr. Summers are. Messrs. Baker, Bibb, Frazier, Fleming. Gunn Jones. O'Neal and Ricks, of the Senate—8. Messrs. Ashley, Austin, Benbow, Benham, Bennett, Bradford, Carlisle, Cooper, F. S. Jackson, Kavanaugh, M. A. King, Liddell. Majors. Moss, Nicks, Oates, Prentice, Presley, Shelley, John Smith, Walton, Warren, S. Williams and Woolsey, of the House—25: 8—33.

Those who voted for Mr. Robertson are, Mr. Toulmin, of the Senate—1. Messrs. Speaker. Brown, Bulger, Campbell, Nath'l. Davis, Hall, Howard, Jones. McMullen, Phillips, Price, Shorter, Stephens, Stone, Turner, Whitsitt. G. W. Williams and P. Williams, of the House—18: 1—19.

Those who voted for Mr. Agee are, Messrs. Flewellin, Garrett, Heflin, James, Kelly, Leslie, Mathews, Walker and Winston, of the Senate—9. Messrs. Allen, Banks, Brown, Bussey, Clements, Coleman, Critcher, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw, J. W. W. Jackson, Porter King, Manasco, McAllister, McCaskill, Pool, Reaves, Roper, Rowe, W. M. Smith, Staton and Wilson, of the House—26: 9—35.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Crenshaw. Cocke, Gunn, Jemison, Johnson, Malone, Perrin, Pearson, Patton, Stephenson, Saunders, Tarrant, Watrous and Winston, of the Senate—16. Messrs. Adams, Armstrong, Booth, Byrd, Cooper, Cox, Earnest, Glover, Gonder, Hall, Hopkins, Larkin, Lea, Moragne, McCollum, McMullen, Pettey, Roper, Shelley, Sterrett, Snowden, Tarrant, Walker, Wallace, Watkins, Webb and Williamson, of the House—27: 16—43.

Those who voted for Mr. Summers are, Messrs. Baker, Bibb, Frazier, Fleming, Jones, O'Neal and Ricks, of the Senate—7. Messrs. Ashley, Austin, Bass, Benbow, Benham, Bennett, Bradford, Carlisle, Critcher, Hendree, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Moss. Nicks, Prentice, Presley, John Smith. Walton, Warren, S. Williams and Woolsey, of the House—24: 7—31.

Those who voted for Mr. Robertson are, Mr. Toulmin, of the Senate—1. Messrs. Speaker, Boon, Campbell, Nathaniel Davis, Hall, Howard, Jones, Oates, Phillips, Shorter, Turner, Whitsitt, G. W. Williams and Price Williams, of the House—14: 1—15.

Those who voted for Mr. Agee are, Messrs. Flewellin, Garrett, Heflin, James, Kelly, Leslie, Mathews and Walker. of the Senate—8. Messrs. Allen, Banks, Brown, Bulger, Bussey, Clements, Coleman, J. W. Davis, W. P. Davis. Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw, J. W. W. Jackson. Porter King, Manasco, McAllister, McCaskill. Pool, Price, Reaves, Rowe, W. M. Smith, Staton, Stone and Wilson, of the House—27- 8---35.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fourth time.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Crenshaw, Cocke, Gunn, Jemison, Johnson, Malone, Perrin, Patton, Ricks, Stephenson, Tarrant, Watrous and Winston, of the Senate—15. Messrs. Adams, Armstrong, Booth, Byrd, Campbell, Carlisle. Cox, Earnest, Glover, Gonder, Holley, Hopkins, Larkin, Lea, Moragne, McCollum, McMullen, Pettey, Presley, Roper, Shelley, Sterrett, Snowden, Tarrant, Walker, Wallace, Warren. Watkins, Webb, S. Williams and Williamson, of the House—31: 15—46.

Those who voted for Mr. Summers are, Messrs. Baker, Bibb, Frazier, Fleming, Jones, O'Neal and Saunders, of the Senate—7. Messrs. Austin, Bass, Benbow, Benham. Bennett, Bradford, Critcher, Hendree, F. S. Jackson, Kavanaugh, M. A. King, Moss, John Smith, W. M. Smith, Walton and Woolsey, of the House—17: 7—24.

Those who voted for Mr. Robertson are, Messrs. Pearson and Toulmin, of the Senate—2. Messrs. Speaker, Boon, Nath. Davis, Hall, Jones, Oates, Phillips, Shorter, Stephens, Stone, Whitsitt, G. W. Williams, P. Williams, Wilson and Woolsey, of the House—14: 2—16.

Those who voted for Mr. Agee are, Messrs. Flewellin, Garrett, Heflin, James, Kelley, Leslie, Mathews and Walker, of the Senate—8. Messrs. Allen, Ashley, Banks, Brown, Bulger, Bussey, Clements, Coleman, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw, Howard, J. W. W. Jackson, Porter King, Liddell, Manasco, McAllister, McCaskill, Pool, Prentice, Price, Reaves, Staton and Turner, of the House—29: 8—57.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fifth time.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Crenshaw, Gunn, Jemison, Johnson, Malone, Perrin, Patton, Stephenson, Saunders, Tarrant and Watrous, of the Senate—13. Messrs. Adams, Armstrong, Ashley, Booth, Byrd, Campbell, Cox, Earnest, Glover, Gonder, Hendree, Holley, Hopkins, Larkin, Lea, Majors, Moragne, McCollum, Pettey, Roper, Shelley, John Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Watkins, Webb, G. W. Williams, P. Williams and Williamson, of the House—33: 13—46.

Those who voted for Mr. Summers are, Messrs. Baker, Bibb, Frazier, Fleming, Garrett, Jones, O'Neal and Ricks, of the Senate—8. Messrs. Austin, Bass, Benbow, Benham, Bennett, Bradford, Carlisle, Cooper, F. S. Jackson, Kavanaugh, M. A. King, Moss, Nicks, Oates, Presley, W. M. Smith, Warren and Woolsey, of the House—18: 8—26.

Those who voted for Mr. Robertson are, Mr. Toulmin, of the Senate—1. Messrs. Boon, Nathaniel Davis, Hall, Howard, Jones, McMullen, Phillips, Shorter, Stephens, Stone, Whitsitt and G. W. Williams, of the House—12: 1—13.

Those who voted for Mr. Agee are, Messrs. Flewellin, Heflin, James, Kelly, Leslie, Mathews, Pearson, Walker and Winston, of the Senate—9. Messrs. Allen, Banks, Brown, Bulger, Bussey, Clements, Coleman, Critcher, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw, J. W. W. Jackson, Porter King, Liddell, Manasco, McAllister, McCaskill, Pool Prentice, Price, Reaves, Rowe, Staton, Turner and Wilson, of the House—29: 9—38.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a sixth time.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Crenshaw, Cocke, Gunn, Jemison, Johnson, Malone, Perrin, Patton, Ricks, Stephenson, Saunders, Tarrant and Watrous, of the Senate—16. Messrs. Adams, Armstrong, Ashley, Booth, Byrd, Campbell, Cox, Earnest, Glover, Gonder, Holley, Hopkins, Larkin, Lea, Majors, McCollum, McMullen, Pettey, Roper, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, S. Williams and Williamson, of the House—31: 16—47.

Those who voted for Mr. Summers are, Messrs. Baker, Bibb, Frazier, Fleming, Garrett, Jones and O'Neal, of the Senate—7. Messrs. Austin, Bass, Benbow, Bennett, Bradford, Carlisle, Hendree, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Moss, Nicks, Prentice, Presley, Shelley, John Smith, W. M. Smith, Stephens, Warren and Woolsey, of the House—22: 7—29.

Those who voted for Mr. Robertson are, Messrs. Speaker, Nathaniel Davis, Hall, Howard, Oates, G. W. Williams and P. Williams, of the House—9.

Those who voted for Mr. Agee are, Messrs. Flewellin, Heflin, James, Kelly, Leslie, Mathews, Toulmin, Walker and Winston, of the Senate—9 Messrs. Allen, Banks, Boon, Brown, Bulger, Bussey, Clements. Coleman, Critcher, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw. J. W. W. Jackson, Porter King, Manaseo, McAllister, McCaskill. Pool, Price. Reaves, Rowe, Staton, Turner and Wilson, of the House—28 : 9—37.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a seventh time, Mr. Robertson being withdrawn.

Those who voted for Mr. Anderson are, Messrs President, Aldridge. Crenshaw, Cocke, Jemison, Johnson, Malone. Perrin, Patton. Stephenson Saunders, Tarrant and Watrous. of the Senate—13. Messrs. Adams, Armstrong. Ashley. Booth. Byrd, Campbell. Cox. Earnest Glover, Holley. Hopkins. Jones, Larkin, Lea, McCollum. McMullen. Pettey. Roper, John Smith, Stersett; Snowden, Stone, Tarrant, Walker, Wallace, Warren, Watkins. Webb, Whitsitt. P. Williams. S. Williams, Williamson and Wilson, of the House—34 : 13—47.

Those who voted for Mr. Summers are, Messrs Baker, Bibb, Fleming, Gunn. Jones, O'Neal, Perrin and Ricks, of the Senate—8. Messrs. Austin, Bass. Benbow, Benham. Bennett, Bradford, Carlisle, Cooper. Hendree. F. S. Jackson. Kavanaugh. M. A. King, Liddell. Moss, Nicks, Oates. Prentice. Presley Shelley, W. M Smith. Stephens, Walton, Geo. W. Williams and Woolsey, of the House—24 : 8—32

Those who voted, for Mr. Agee are, Messrs. Frazier, Flewellin, Garrett, Heflin. James, Kelly, Leslie. Mathews. Toulmin, Walker and Winston, of the Senate—11. Messrs. Speaker. Allen. Banks. Boon. Brown, Bulger. Bussey, Clements, Coleman, Critcher, J. W. Davis, Nathaniel Davis. W. P. Davis, Gladney, Goldsby. N. S. Graham. W. C. Graham, Henshaw. Howard. J. W. W. Jackson, Porter King. Majors, Manasco. McAllister, McCaskill. Phillips, Pool, Price, Reaves, Rowe, Shorter, Staton, and Turner of the House—33 : 11—44

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot the eighth time.

Those who voted for Mr. Anderson are, Messrs President, Crenshaw, Cocke, Jemison, Johnson, Malone, Perrin, Pearson, Patton, Stephenson, Saunders, Tarrant and Watrous. of the Senate—13. Messrs. Adams, Armstrong. Ashley. Booth, Byrd, Campbell, Cox, Earnest, Glover, Gonder, Holley, Hopkins, Jones, Larkin, Lea, McCollum, McMullen, Pettey, Roper, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson, of the House—33: 13—46.

Those who voted for Mr. Summers are, Messrs. Baker, Bibb, Fleming, Gunn, Jones and O'Neal, of the Senate—6. Messrs. Bass, Benbow, Bennett, Bradford, Carlisle, Nathaniel Davis, Hall, Hendree, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Moss, Nicks, Presley, Shelley, John Smith, W. M. Smith, Walton, G. W. Williams and Woolsey, of the House—22: 6—28.

Those who voted for Mr. Agee are, Messrs. Frazier, Garrett, Heflin, James, Kelly, Leslie, Mathews, Toulmin, Walker and Winston, of the Senate—10. Messrs. Speaker, Allen, Austin, Banks, Boon, Brown, Bulger, Bussey, Clements, Coleman, Critcher, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw, Howard, J. W. W. Jackson, Porter King, Majors, Manasco, Moragne, McAllister, McCaskill, Oates, Phillips, Pool, Price, Reaves, Rowe, Shorter, Staton, Stephens and Turner, of the House—36: 10—46.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a ninth time.

Those who voted for Mr. Anderson are, Messrs. President Aldridge, Baker, Bibb, Crenshaw, Cocke, Gunn, Jemison, Johnson, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson, Saunders, Tarrant and Watrous, of the Senate—18. Messrs. Ashley, Adams, Benbow, Booth, Byrd, Campbell, Carlisle, Cox, Nath. Davis, Earnest, Glover, Gonder, Hendree, Holley, F. S. Jackson, Jones, Larkin, Lea, Moragne, McCollum, Pettey, Presley, Roper, Shelley, John Smith, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson, of the House—40: 18—58.

Those who voted for Mr. Summers are, Messrs. Frazier, Fleming, Jones and Pearson, of the Senate—4. Messrs. Armstrong, Bass, Benham, Bradford, Cooper, Hall, Kavanaugh, M. A. King, Moss, Prentice, W. M. Smith, G. W. Williams and Woolsey, of the House—13: 4—17.

Those who voted for Mr. Agee are, Messrs. Flewellin, Garrett, Heflin, James, Kelly, Leslie, Mathews, Toulmin and Winston, of the Senate—9. Messrs. Speaker, Allen, Austin, Banks, Boon, Brown, Bulger, Bussey, Clements, Coleman, Critcher, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henshaw, Howard, J. W. W. Jackson, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Nicks, Oates, Phillips, Pool, Price, Reaves, Rowe, Shorter, Staton, Stephens, Turner and Warren, of the House—38: 9—47.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a tenth time.

Those who voted for Mr. Anderson are, Messrs. President, Aldridge, Baker, Bibb, Crenshaw, Cocke, Gunn, Jemison, Johnson, Malone, O'Neal, Perrin, Pearson, Patton, Ricks, Stephenson, Saunders, Tarrant and Watrous, of the Senate—19. Messrs. Adams, Armstrong, Ashley, Bass, Benbow, Benham, Booth, Byrd, Campbell, Carlisle, Cox, Earnest, Glover, Gonder, Hendree, Holley, Hopkins, F. S. Jackson, Jones, Larkin, Lea, Majors, McCollum, Oates, Pettey, Presley, Roper, Shelley, John Smith, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williamson and Wilson, of the House—45: 19—64.

Those who voted for Mr. Summers are, Messrs. Frazier, and Fleming, of the Senate—2. Messrs. Bradford, Cooper, Hall, Kavanaugh, M. A. King, Moss, Nicks, G. W. Williams and Woolsey, of the House—9: 2—11.

Those who voted for Mr Agee are, Messrs. Flewellin, Garrett, Heflin, James, Jones, Kelly, Leslie, Mathews, Toulmin, Walker and Winston, of the Senate—11. Messrs. Speaker, Allen, Austin, Banks, Boon, Brown, Bulger, Bussey, Clements, Coleman, Critcher, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby N. S. Graham, W. C. Graham, Henshaw, Howard, J. W. W. Jackson, Porter King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Rowe, W. M. Smith, Staton, Stephenson and Turner, of the House—37: 11—48.

Mr. Anderson having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected solicitor for the sixth judicial circuit for the term prescribed by law.

The Senate then withdrew, and the House adjourned until tomorrow, at 10 o'clock.

WEDNESDAY, December 3, 1851.

The House met according to adjournment.

Mr. Speaker laid before the House a communication from the Governor, informing the House of the resignation of Daniel Coleman of the supreme court bench, to take effect from the second day of the next term of said court.

Bills were introduced by:

Mr. Hall, for the relief Isaac P. Foreman:

Mr. Presley, defining the duty of justices of the peace in relation to patrols in the county of Chambers:

Mr. Bussey, to incorporate the Orrville Institute:

Mr. Majors, to compensate Sampson Claxton for certain services therein named:

Mr. McCollum, for the benefit of James C. Jenkins, of Fayette county:

Mr. G. W. Williams, to attach certain citizens of Henry to the Abbeville beat:

Mr. G. W. Williams, to amend the laws relative to overseers of roads:

Mr. Seaborn Williams, to repeal an act to prevent the sacrifice of real estate:

Mr. Rowe, to compensate physicians in certain cases:

And were severally read and ordered to a second reading.

Mr. Clements introduced joint resolutions to amend the constitution of the State of Alabama, which were read and referred to the Committee on the Judiciary.

Mr. Bussey presented the memorial of Henry Traun: and

Mr. Rowe, the account of William A. Mitchell:

Which were severally referred to the Committee on Propositions and Grievances.

Mr. W. P. Davis presented the petition of Patton, Brothers, *et al.*, which was referred to the Committee on Privileges and Elections.

Reports.

Mr. Walker, from the Committee on the Judiciary, reported adversely to the bill to legalise certain marriages therein named. The report was concurred in.

Mr. Walker, from the same committee, reported back the petition of James Drew, *et al* of Monroe county, as having been improperly referred. The petition, on motion of

Mr. McCaskill, was referred to the Committee on the Sixteenth Section Fund.

Mr. Walker, from the same committee, reported back the bill from the Senate to authorise a change of venue in certain cases. Said bill was ordered to a third reading.

Mr. Walker, from the same committee, reported adversely to the bill to prevent the introduction of slaves into this State for sale, and for other purposes.

On motion of

Mr. Walker, the further consideration of the report and bill was postponed until the 17th inst., and they were made the special order for 12 M. of said day.

Mr. Webb, from the same committee, reported adversely to the joint resolutions to amend the constitution of the State of Alabama. The said joint resolutions were introduced by Mr. Oates. Said report was concurred in.

Mr. Shorter from the same committee, reported adversely to the joint resolutions to amend the constitution of the State of Alabama, making members of the General Assembly ineligible to office, unless they resign before their election to said office.

Mr. Rowe moved to lay said report on the table which was lost. Yeas 35; nays 52.

Those who voted in the affirmative are, Messrs. Armstrong, Ashley, Banks. Bass, Benbow, Brown, Byrd, Clements, Coleman, Carlisle, Gladney. W. C. Graham. Hall, Hendree. Henshaw, Howard, Jones, Kavanaugh. Porter King. Larkin. Liddell, Manasco, McCollum Reaves, Rowe, Shelley. W. M. Smith. Sterrett, Stone, Tarrant, Turner, Wallace, Walton, Watkins and Williamson.

Those who voted in the negative are. Messrs. Speaker, Adams. Allen; Austin, Bennett, Boon, Booth, Bussey, Carlisle. Cooper, Cox, J. W. Davis, Nich Davis, W. P. Davis, Freeman, Glover, N. S. Graham, Holley, Hopkins, J. W. W. Jackson. M. A. King, Lea, Majors Moragne, McAlister, McCaskill, McMullen, Moss, Nicks, Oates, Pettey, Phillips, Pool Prentice, Presley, Price, Robinson, Roper, Shorter, John Smith. Staton, Stephens, Snowden, Walker, Warren, Webb, Whitsitt, Geo. W. Williams, P. Williams. S. Williams, Wilson and Woolsey

The further consideration of said report was postponed until Wednesday next.

Mr. Nathaniel Davis, from the Committee on Ways and Means reported adversely to the bill to regulate the manner of appointing assessors for the county of Autauga.

Mr. M. A. King moved to lay the report and bill upon the table.

Mr. Moss moved their postponement until the first Monday in February; upon which motion Mr. Hall called for a division of the question, which was first taken upon the postponement of the report and carried, and then on the postponement of the bill and lost. Yeas 43; nays 46.

Those who voted in the affirmative are, Messrs Speaker, Ashley, Bass, Bennett, Booth. Carlisle. Nathaniel Davis, Nich Davis, Gladney, Glover, Hendree, Henshaw, Hopkins. F. S. Jackson, Jones, M. A. King. Larkin, Lea. Liddell, McAllister, McCaskill, Moss. Nicks, Oates. Presley. Robinson. Roper. John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Watkins. Webb, Whitsitt, Geo. W. Williams, P. Williams, S. Williams and Williamson.

Those who voted in the negative are. Messrs. Adams, Allen. Armstrong, Austin, Banks, Benbow. Boon Brown, Bulger, Bussey, Byrd, Campbell, Clements, Coleman, Cooper, Cox, Critcher,

J. W. Davis, W. P. Davis, Earnest, Freeman, N. S. Graham. Hall, Howard. J. W. W. Jackson, Kavanaugh, Porter King, Majors, Manasco, McCollum, McMullen, Pettey, Pool, Prentice, Price, Reaves, Rowe, Shelley. Shorter, Stephens, Stone, Turner, Warren and Wilson.

The question then recurred on the motion of Mr. M. A. King, to lay the bill on the table, which motion prevailed. Yeas 45; nays 42.

Those who voted in the affirmative are, Messrs. Speaker, Ashley, Austin, Bass, Boon, Carlisle, Nathaniel Davis, Earnest, Gladney, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Jones, Kavanaugh, M. A. King, Larkin, Lea, Liddell, McAllister, Moss, Nicks, Oates, Phillips, Presley, Price, Robinson. Roper, W. M. Smith, Stephens, Sterrett, Snowden, Tarrant, Walker, Walton, Watkins, Webb, Whitsitt, G. W. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Armstrong. Banks, Benbow, Bennett, Boon, Brown, Bulger, Byrd, Campbell. Clements, Coleman, Cooper, Cox, Crutcher, J. W. Davis, W. P. Davis, Freeman, Glover, N S. Graham, Hall. Henderson, Howard. J. W. W. Jackson, P. King, Manasco, McCaskill, McCollum, McMullen, Pettey. Pool, Prentice, Reaves, Shelley, Shorter, John Smith, Staton, Turner, Warren and Wilson.

Mr. Hopkins, from the Committee on Ways and Means, reported adversely to the bill to elect the tax assessor of Cherokee county by the people. Said report was concurred in.

Mr. Price Williams, from the same committee, to whom was referred the resolution of enquiry into the expediency of repealing the law licensing the retailers of spirituous liquors in any quantity, and licensing hotels and houses of public entertainment, reported adversely thereto.

Mr. Boyd moved to postpone the further consideration of said report until Monday week and make it the special order for 12 M. of said day. Said motion was lost, and said report concurred in.

Mr. Price Williams, from the same committee, to whom was referred the bill relating to sales of real estate for taxes, reported the same back with amendments, which were adopted and the bill ordered to be engrossed for a third reading.

A message was received from the Senate by Mr. Kidd, informing the House that the Senate concured in the resolution of the House appointing a joint committee to whom the new code shall be referred, and that the Senate had amended said resolution by striking out "nine" and inserting "five," and striking out "five" and inserting "three." Said amendments were concurred in.

Messrs. Phillips, Lea, Walker, Jones and Hopkins compose said committee on the part of the House.

Mr. Seaborn Williams, from the Committee on Ways and Means, to whom was referred the bill to consolidate the offices of tax assessor and collector in the county of Walker, reported a substitute therefor.

Mr. Nathaniel Davis moved to lay the bill and substitute upon the table. Upon which motion,

Mr. Manasco called for a division of the question, which was first taken on laying the substitute on the table and carried, and then on the bill and lost.

Mr. Brown moved to amend said bill by adding the word "Marion" after "Walker." Said motion prevailed.

Mr. Cooper moved further to amend by adding "Cherokee" after "Marion."

Mr. McCollum moved to amend said amendment by adding "Fayette" after "Cherokee."

Mr. Moss moved the indefinite postponement of the bill and amendments. Said motion was lost. Yeas 46; nays 46.

Those who voted in the affirmative are, Messrs. Speaker, Ashley, Austin, Banks, Bass, Bussey. Campbell, Carlisle, Critcher, J. W. Davis, N. Davis, Gladney, Gonder. Hendree, Henshaw, Holley. Hopkins, Howard. Jones. M. A. King, Larkin, Lea, Liddell, McAllister, McCaskill. Moss, Phillips, Presley, Robinson, Roper, Shelley Shorter. John Smith, W. M. Smith, Stephens, Sterrett. Tarrant. Walker, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Adams Allen, Armstrong, Benbow, Bennett. Boon. Brown, Bulger, Byrd, Clements, Coleman, Cooper. Cox, J. W. Davis. W. P. Davis. Earnest, Freeman, Glover. Goldsby. N. S. Graham, W. C. Graham, Hall. Hendree. J. W. W. Jackson, Kavanaugh, P. King. Majors, Manasco, Moragne, McCollum, McMullen, Oates, Pettey. Pool, Prentice, Price, Reaves, Rowe, Staton, Stone, Snowden. Warren, G. W. Williams, Wilson and Woolsey.

The question then recurred, on the motion of Mr. Cooper, to amend said bill. Mr. Reaves moved further amend by adding "Randolph" after "Fayette." Said motion was lost, and the motion of Mr. Cooper and Mr. McCollum was lost.

Pending the question of ordering said bill to be engrossed for a third reading, the Senate, by invitation, appeared in the hall of the House, and the two Houses in convention proceeded to the election of an attorney general for the State of Alabama, Messrs. Marion Baldwin and Joseph P. Saffold being in nomination.

Those who voted for Mr. Baldwin are, Messrs. Aldridge, Frazier, Fleming, Flewellin, Garrett, Heflin, James, Jones, Kelly, Malone, Mathews, Pearson, Ricks, Toulmin, Walker and Winston, of the Senate--16. Messrs. Speaker, Adams, Allen, Armstrong, Austin, Bennett, Boon, Brown, Bulger. Campbell, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P Davis, Earnest, Gladney, Goldsby, N. S. Graham W. C. Graham, Hall, Hendree, Henshaw. Holley, Hopkins, Howard, J. W. W. Jackson, Jones. Porter King, Larkin, Lea. Majors. Manasco, Moragne, McAllister, McCaskill, McMullen, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves. Robinson. Rowe, Shorter, W. M. Smith, Stephens, Snowden. Stone, Tarrant, Turner, Walker, Watkins, Webb, Whitsitt, Geo. W. Williams, Price Williams and Wilson, of the House—62 : 16—78.

Those who voted for Mr. Saffold are, Messrs President, Baker, Bibb, Crenshaw. Gunn, Jemison, Johnson. Leslie O'Neal, Perrin. Patton, Stephenson. Saunders, Tarrant and Watrous, of the Senate—15. Messrs. Ashley, Banks, Bass, Benbow, Booth, Bussey, Byrd, Carlisle. Cooper, Critcher, Freeman. Glover. Gonder, Hendree, F. S Jackson, Kavanaugh, M. A. King, Liddell, McCollum. Moss, Nicks, Presley, Roper, Shelley. John Smith, Staton, Sterrett, Wallace, Walton. Seaborn Williams and Williamson, of the House—31 : 15—46.

Mr. Baldwin having received a majority of the whole number of votes given, was declared by the Speaker to have been duly and constitutionally elected attorney general of the State of Alabama for the term prescribed by law.

The Senate then withdrew, and the House proceeded to the consideration of the special order of the day. it being the engrossed bill to amend the charter of the Southern Bank of Alabama.

The question recurred on the passage of the bill. After some time spent in discussion, the House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, December 4, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Messrs. Rowe, Bussey and Bass.

On motion of Mr. Moss, the bill to empower the probate court of Montgomery county to authorise the sale of certain lands therein mentioned was taken from the general orders and read the second time, and the constitutional rule being suspended, it was read the third time forthwith and passed. Ordered that the same be engrossed and sent forthwith to the Senate.

Bills were introduced by:

Mr. Snowden, to repeal an act therein named:

Mr. Coleman, to provide for the comfort of State prisoners:

Mr. Armstrong, to provide for the issuing of patents for certain lands therein named:

Mr. Armstrong, in respect to the books, maps and field notes of the late surveyor general's office for the State of Alabama:

Mr. Seaborn Williams, to incorporate the Masonic Female College at Auburn, and for other purposes:

And were severally read and ordered to a second reading.

Mr. Webb presented the petition of Susan T. McCann, which was referred to the Committee on the Judiciary.

Mr. Shelley presented the memorial of the Alabama and Tennessee River Railroad company.

Mr. Shelley moved to refer said memorial to the Committee on Internal Improvement, with instructions to have five hundred copies thereof printed.

Mr. Woolsey moved to amend said motion by adding thereto "if they deem said printing advisable." The amendment was adopted, and the motion as amended prevailed.

Mr. Sterrett presented the petition of Samuel F. Perkins, *et. al.*, which was referred to the Committee on Propositions and Grievances.

Reports.

The question then recurred on ordering to a third reading the bill to consolidate the offices of tax assessor and collector in the counties of Walker and Marion.

Mr. Byrd moved to amend said bill by way of proviso, which was adopted, and then the bill was ordered to a third reading: Yeas 55: nays 27.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Benbow, Benham, Bennett, Boon, Brown, Bulger, Bussey, Byrd, Carlisle, Coleman, Cooper, Cox, J. W. Davis, W. P. Davis, Earnest, Freeman, W. S. Graham, Hendree, Holley, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Majors, Munson, Moragne, McAllister, McCollum, McMullen, Moss, Oates, Pettey, Pool, Prentice, Presley, Shelley, Shorter, J. Smith, Staton, Stephens, Snowden, Tarrant, Turner, Walker, Wallace, Walton, Warren, G. W. Williams and Woolsey.

Those who voted in the negative are, Messrs. Ashley, Austin, Banks, Beck, Bradford, Critcher, N. Davis, Gladney, Henshaw, Hopkins, Howard, F. S. Jackson, Jones, Lea, Liddell, McCaskill, Reaves, Roper, W. M. Smith, Sterrett, Watkins, Webb, Whitsitt, P. Williams, L. Williams, Williamson and Wilson.

Mr. Speaker laid before the House an invitation from the Most Worshipful Grand Lodge of Free and Accepted Masons of the State of Alabama to this House to attend the Masonic celebration of said Lodge on this day, at 11 o'clock A. M.

Mr. N. Davis moved to lay said communication on the table. Said motion was lost.

On motion of Mr. M. A. King, said invitation was accepted. Yeas 51; nays 27.

Those who voted in the affirmative are, Messrs. Speaker, Ashley, Beck, Benbow, Benham Bennett, Bradfod, Booth. Bulger, Bussey. Byrd. Carlisle, Cox. Cricher. W. P. Davis, Earnest, Freeman, Hendree. Henshaw. Howard. F. S. Jackson, J. W. W. Jackson, Jones. Kavanaugh. M A. King. Porter King, Liddell, Majors. Moragne, McAllister. McCollum Nicks Oates, Pettey, Pool. Prentice. Price. Shelley, Shorter. W M. Smith, Sterrett. Snowden, Stone. Tarrant Turner. Walton, Watkins. Webb, Whitsitt. Geo. W. Williams and S. Williams.

Those who voted in the negative are, Messrs. Adams, Allen, Armstrong Austin. Banks. Brow, Clemens. Coleman J. W. Davis, Nathaniel Davis. N. S Graham. Hopkins. Lea. Manasco. McCaskill, McMullen. Moss. Phillips. Reaves. Roper. John Smith. Staton. Stephens, Walker, Warren Williamson and Wilson.

The House concurred in the amendments of the Senate to the House bill to provide for the comfort of citizens visiting the State capitol.

Mr. Jones, from the Committee on Ways and Means, to whom was referred the engrossed bill to authorise the tax collectors of Blount and St. Clair counties to assess the taxes of said counties, reported adversely thereto.

On motion of Mr. Jones, the report and bill were laid on the table.

Mr. Jones, from the same committee, then reported a bill to authorise the commissioners' court of Blount county to appoint a tax collector to assess the taxes of said county. Said bill was read and ordered to a second reading.

Mr. Jones, from the same committee, reported adversely to the bill to repeal the law licensing ten-pin allies.

Mr. Critcher moved to lay said report on the table, which motio was lost, and the report was concurred in.

Mr. Moss, from the Committee on Enrolled Bills, reported as correctly enrolled:

An act to repeal an act to preclude from office certain persons therein named:

An act authorising the judge of probate and commissioners of roads and revenue for Macon county to sell certain lands therein mentioned:

An act to alter and amend an act to authorise the election of eight commissioners of roads and revenue in the county of Conecuh, approved 22d of January, 1845:

An act to provide for the sale of the insolvent and doubtful claims belonging to the estate of Samuel Sevier, deceased:

An act to authorise the mayor and aldermen of the city of Tuscaloosa to borrow money:

An act to authorise the commissioners of roads and ferries of the county of Madison to subscribe to the capital stock of the Memphis and Charleston and the Winchester and Alabama railroad companies:

An act relating to the county treasurer of Russell county:

An act regulating the pay of certain officers in the county of Shelby for *ex-officio* services:

An act to authorise Pitman M. Simpkin, of the county of Chambers, guardian &c., to purchase negro slaves;

An act to provide for the building of a jail in Talladega county:

An act to alter the time of electing a keeper of the poor for the county of Jefferson:

Mr. Wesley M. Smith, from the same committee, reported as correctly enrolled:

An act to authorise the commissioners' court of Madison county to compensate Robert W. Spaaggings,, and to regulate the drawing and paying of petit jurors in the county of Madison:

On motion of Mr. ———, the House adjourned until this afternoon, at 3 o'clock. Yeas 52; nays 29.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Armstrong, Ashley, Beck, Benham, Bennett, Booth, Bulger, Bussey, Carlisle, Cooper, Cox, Critcher, W. P. Davis, Earnest, Freeman, Gladney, Goldsby, N. S. Graham, W. C. Graham, Hendree, Henshaw, Holley, Howard, J. W. W. Jackson, Jones, Kavanaugh, P. King, Liddell, Majors, Moragne, McAllister, Nicks, Phillips, Pool, Reaves, Shorter, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Turner, Wallace, Walton, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Allen, Austin, Banks, Boon, Brown, Byrd, Campbell, Clements, Coleman, J. W. Davis, Nathaniel Davis, Hopkins, M. A. King, Lea, Manasco, McCaskill McCollum, McMullen, Moss, Oates, Pettey, Robinson, Roper, Shelley, Staton, Stephens, Walker, Warren, Wilson and Woolsey.

AFTERNOON SESSION, December 4, 1851.

The House met pursuant to adjournment.

The following bills from the Senate, transmitted by Mr. Kidd, were severally read and ordered to a second reading:

For the relief of John H. Gee and Moses Johnson, late tax collectors of Sumter and Shelby counties:

To authorise the Governor to furnish cadet muskets to Gibson F. Hill's military academy:

To regulate the salaries of the solicitors of the State of Alabama.

The House was informed that the Senate insisted on its amendment to the bill from the House to authorise the town marshal of Talladega to execute process issued by justices of the peace within the limits of said county.

Mr. Cooper moved that the House recede from its disagreement to said amendment. Said motion was lost, and the House adhered to said disagreement.

The House then resumed the consideration of the first special order, it being the bill to amend the charter of the Southern Bank of Alabama.

On motion of Mr. Phillips, said bill was laid on the table, and he was allowed to introduce a bill to amend an act to incorporate the Southern Bank of Alabama, which said bill was read, and the constitutional rule being suspended, was read a second time forthwith and ordered to be engrossed for a third reading.

The second special order, it being the bill to add an additional Judge to the Supreme Court bench, was ordered to a second reading.

Mr. Lea, by leave, offered the following resolution, which was adopted:

Resolved, That for the purpose of expediting the business of the session, joint resolutions and bills before the House may at the proper stage be referred to the joint committee to whom the revised code reported by the Commissioners has been referred, and that said committee on the part of the House be authorised to report on said references from time to time as they may find most conducive to the progress of the measures and to the advancement of the business of the session.

General Orders.

The House then proceeded to the consideration of the general orders.

The bills from the Senate to amend an act incorporating the President and Directors of the Wetumpka Bridge Company:

To authorise a change of venue in certain cases therein named: and

The engrossed bills to incorporate the Mobile and New Orleans Railroad Company:

To incorporate the Mobile and Philadelphia Steamship Company:

For the relief of Samuel L. Barnes, of Covington county :

To change the name of the Montgomery Manufacturing Company :

To charter the Wills' Valley Railroad :

Were severally read the third time and passed.

The engrossed bill relating to sales of real estate for taxes was read the third time and referred to the joint committee on the code.

The bill to provide for the election of a county treasurer and tax assessor by the qualified voters of DeKalb was read the second time and was amended, on motion of

Messrs. Benbow, Cooper, Walton and Coleman. by adding after "DeKalb," the counties of Pike, Cherokee, Russell and Fayette.

Mr. Bulger moved to strike out the counties named in the bill and make its operation extend throughout the State.

Mr. Booth moved to amend said amendment by excepting the county of Baldwin from its operation. Said motion was lost.

Mr. W. M Smith moved to lay Mr. Bulger's amendment on the table. Said motion was lost. Yeas 27 ; nays 43.

Those who voted in the affirmative are, Messrs Speaker, Ashley, Boon, Campbell, Carlisle, Cooper, Nath. Davis, Earnest, Freeman, Glover, W. C. Graham, Hopkins, Moragne, Presley, Roper, John Smith, W. M. Smith, Stephens, Sterrett. Snowden. Turner, Walton, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Adams, Allen, Banks, Beck, Booth, Brown. Bulger, Clements, Coleman, Cox. Critcher, J. W. Davis. W. P. Davis, Gladney, N. S. Graham, Henshaw, Holley, Howard, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Lea, Liddell, Majors, Manasco, McCaskill, McCollum, McMullen, Moss, Nicks, Pool, Prentice, Price, Shelley, Shorter, Staton, Stone, Tarrant, Walker, Wallace, Warren and Woolsey.

On motion of

Mr. M. A. King, the bill and amendments were referred to the Committee on Ways and Means.

The bill declaring certain liners therein named citizens of Fayette county was read the second time.

Mr. Brown moved its indefinite postponement. Said motion was lost and the bill referred to the Committee on County Boundaries.

On motion of Mr. Nathaniel Davis,

The bills :

To repeal in part an act therein named, &c :

To regulate the granting of licenses to retail spirituous liquors:

Were severally read the second time and referred to the Committe on Ways and Means.

The bills:

To alter the mode of selecting grand juries for the county of Tuscaloosa:

To designate the office days for business purposes in the probate court of Covington:

To authorise Stephen T. Hall and Samuel S. Earle, guardians, &c., to sell real estate:

For the relief of the estate of Francis S. Parmer, deceased:

To authorise judges of the probate court to correct mistakes in their courts, and for other purposes:

For the relief of the widow and heir at law of Hugh McCormack, deceased:

Were severally read the second time and referred to the Committee on the Judiciary.

The bills:

For the relief Ellsberry Fails:

For the relief of Joseph H. Dickson:

For the relief of Joseph Henrick:

To authorise the commissioners of roads and revenue of Walker county to levy a county tax:

Were severally read a second time and ordered to be engrossed for a third reading.

The bill for the relief of James Chandler was read the second time and, on motion of

Mr. Bulger, amended by striking out the words "in the State," and inserting "in the county of Cherokee." The bill was then ordered to be engrossed for a third reading.

The bills:

To incorporate the Eufaula Railroad Company:

To authorise the corporate authorities of Mobile to levy a special tax: and

The bill to divide the two and three per cent. funds equally among the several counties in the State in proportion to their white population:

Were severally read the second time and referred to the Committee on Internal Improvement.

The bill to refund to the legal representatives of W. H. Bryant, deceased, a sum of money therein named was read the second time and referred to the Committee of Ways and Means, on motion of

Mr. Nathaniel Davis, with instructions to report a general bill authorising the comptroller and treasurer to refund to all tax collectors taxes overpaid by them.

The bills:

To incorporate the Gaston Institute:

To incorporate the Selma Marine and Fire Insurance Company:

Were read the second time and referred to the Committee on Corporations.

The bills:

To alter and amend proceedings in chancery:

To prohibit the intermarriage of white persons with persons descended from the African race, and for other purposes:

To prevent insubordination among slaves, and for other purposes:

Were read the second time and referred to the Joint Committee on the New Code.

The bills:

To establish an election precinct in the county of Chambers:

To establish an election precinct in the county of Fayette:

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bill to change the time of holding the circuit court of Jefferson, and for other purposes, was read the second time and referred to a select committee composed of the representatives from Jefferson, Shelby and St. Clair.

The bill to incorporate the People's Spring Hill Plank or Shellroad Company was read the second time and referred to a select committee composed of the representatives from Mobile.

The bill for the relief of William Hussey was read the second time and referred to the Committee on the Sixteenth Sections.

The bill for the relief of John Woddell and Dalila Narramore was read the second time and referred to the Committee on Divorce and Alimony.

The bill to prevent the erection of wires of telegraphic lines across the public roads in this State, except on certain conditions, was read the second time and referred to the Committee on Roads, Bridges and Ferries.

And the House adjourned until to-morrow morning, at 10 o'clock.

FRIDAY, December 5, 1851.

The House met pursuant to adjournment.

On motion of Mr. Allen, a call of the House was ordered, when the following Representatives answered to their names, viz: Messrs. Speaker, Allen, Allison, Banks, Beck, Boon, Booth,

Bradford, Byrd, Campbell, Carlisle, Clements, Cooper, Cox, Critcher, J. W. Davis, Gladney, Gonder, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Lea, Majors, Manasco, McCaskill, McCollum, McMullen, Moss, Oates, Pettey, Pool, Prentice, Presley, Reaves, Roper, Shorter, John Smith, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Tarrant, Warren, Watkins, Webb, Whitsitt, G. W. Williams, Wilson and Woolsey.

Mr. Walton offered an amendment to the rules of the House as follows:

44. The name of the member calling for the yeas and nays shall, in all cases, be entered upon the journal of this House. Said amendment lies over one day.

Mr. Speaker laid before the House the annual abstract report of the adjutant and inspector general, which was referred to the Committee on the Military.

Mr. Lea moved to reconsider the vote by which the House on yesterday adopted the resolution offered by him, referring matter of general legislation to the joint Committee on the New Code. Said motion prevailed, and then, on motion of Mr. Lea, the resolution was laid on the table and the matters referred to said joint Committee on yesterday were transferred to the Committee on the Judiciary.

Bills were introduced by:

Mr. Critcher, to authorise the commissioners' court of roads and revenue in the county of Marshall to levy taxes on ten pin alleys,

Mr. McCollum, to regulate the pay of witnesses in certain cases:

And were severally read and ordered to a second reading.

Mr. Beck, from the Committee on Federal Relations, to who was referred the memorial to the congress of the United States in relation to the depradations of the Creek Indians in 1836 and 1837, reported the same back with amendments, which were adopted and the memorial was adopted.

Mr. Phillips, from the Committee on Internal Improvement, reported back the bill to incorporate the New York and Alabama Steamship company. Said bill was ordered to be engrossed for a third reading.

Mr. Moss, from the Committee on Enrolled Bills, reported as correctly enrolled an act to provide for the comfort of citizens visiting the State capitol.

Mr. Wilson, from the Committee on Accounts, reported back the bill for the payment of William McCarty, jailer of Jefferson county. Said bill was ordered to a third reading.

Mr. Wilson, from the same committee, reported a bill making appropriations for the payment of certain claims against the State, which was read and ordered to a second reading.

Mr. Cox, from the Committee on the Penitentiary, to whom was referred the resolution of enquiry into the expediency and practicability of employing convicts in the construction of works of internal improvement, reported adversely thereto, and the report was concurred in.

Mr. Kavanaugh, from the select committee to whom was referred the bill to authorise Moses Cavitt, administrator of Richard Cavitt, to settle and compromise bad and doubtful debts, reported the same back. Said bill was ordered to be engrossed for a third reading.

Mr. Stephens, from the select committee to whom was recommitted the bill to change and regulate the time of holding the circuit courts in the counties of Jackson, DeKalb and Cherokee, together with the substitute therefor, reported back the substitute with amendments, which were adopted. The substitute was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Byrd, from the select committee to whom was referred the joint memorial to Congress and a resolution instructing said committee to prepare a memorial to Congress, asking for a grant of land to equalise the sixteenth section fund, reported back said memorial with amendments, which were adopted.

Mr. Hall moved to amend said memorial by adding the words "the benefits of" after "equalizing;" also, by adding the "interest arising from the proceeds of such land to be distributed among them in proportion to the number of children in each township who may be entered at school, taking care at first to pay in full the tuition fees of all scholars in the primary classes, and dividing equally the remainder among all of the higher classes, when the funds are not sufficient to pay all." Said amendment was adopted and the memorial was adopted.

Mr. Goldsby, from the Committee on Propositions and Grievances, to whom was referred the petition of G. Gardner, P. J. Weaver and others, reported a bill for the relief of certain persons therein named, and for other purposes, which was read and dered to a second reading.

Mr. Earnest offered the following resolution, which was lost:

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of allowing the solicitors the right of changing the venue in cases of felony, and also of allowing solicitors a bill of exceptions in all cases where the prisoner has that right by statute.

A message was received from the Senate by Mr. Kidd, transmitting a bill to enlarge the jurisdiction of the probate court, and for other purposes, which was read and ordered to a second reading.

On motion of

Mr. Moss, one hundred copies of said bill were ordered to be printed for the use of the House.

Mr. N. S. Graham offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed on the part of the House, to act with such committee as may be appointed by the Senate, to wait on the Hon. H. W. Collier, and inform him of his re-election to the office of Governor, and ascertain when it will suit him to take the oath of office.

Messrs. N. S. Graham, Hendree and Oates compose said committee on the part of the House.

Mr. Bulger offered the following resolution, which was adopted:

Resolved, That so much of the Governor's message as relates to the great sectional question which has for years agitated the American confederacy and somewhat estranged some of its members from each other and the duty of Alabama in the present posture of affairs, be referred to the Committee on Ways and Means, with instructions to enquire into the expediency of so amending the revenue laws as to subject the produce and manufactures of all articles imported through States that refuse to pass laws to enforce the provisions of the constitution of the United States in regard to fugitives from labor to a higher tax, when sold in this State, than like articles produced or manufactured in or imported directly from foreign countries through the ports of this State, or other States, that have now provided or may hereafter provide by law for the arrest, confinement and delivery of fugitive slaves to their owners on proper demand, with leave to report by bill or otherwise.

Mr. Boon offered the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of amending the law in relation to keeping State prisoners, so as to leave their discharge to the several counties where the crimes were committed, with leave to report by bill or otherwise.

Mr. G. W. Williams offered the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means be instructed to enquire into the expediency of amending the tax laws of this State, so as to require judges of probate to prepare the necessary tax books, forward and deliver them as required by law—duties heretofore required by the assessor.

Mr. Coleman offered the following resolution:

Resolved, That our Senators and Representatives in Congress be instructed and requested to use their influence against the office of chaplin to the two Houses of Congress. if such chaplins have to be sustained at public charge.

Mr. Wesley M. Smith moved to lay said resolution on the table, which motion prevailed. Yeas 58; nays 19.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Ashley, Austin, Beck Benbow. Booth, Bradford, Byrd, Campbell, Carlisle, Cooper, Cox, Gonder, Hall, Henderson, Hendree, Henshaw, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Liddell, Moragne, McAllister, McCaskill. Moss Nicks. Oates. Phillips. Pool, Prentice, Presley, Price. Robinson. Roper, Shelley Shorter, John Smith, W. M. Smith. Sterrett. Snowden, Tarrant, Turner. Walker, Wallace, Walton, Watkins. Webb. Whitsitt Geo. W. Williams, P. Williams. S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allison, Armstrong, Boon, Brown. Coleman. Critcher, J. W. Davis, Goldsby, M. A. King, Manasco, McCollum, McMullen. Pettey, Reaves, Staton, Stephens, Williamson and Wilson.

The engrossed bill to amend an act to incorporate the Southern Bank of Alabama was read a third time and passed. Yeas 48; nays 32.

Those who voted in the affirmative are, Messrs. Speaker, Beck, Benbow, Booth, Bradford, Bulger, Byrd, Cooper, Cox, Critcher, Earnest, Gonder, N. S. Graham, W. C. Graham, Henderson, Holley, Hopkins, J. W. W. Jackson, Jones, Lea, Liddell, Majors, McCaskill, McCollum, McMullen, Moss, Nicks, Phillips, Price, Reaves, Robinson, Roper, Shelley, Shorter, John Smith, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, G. W. Williams, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Allison, Armstrong, Ashley, Austin, Banks, Boon, Brown, Carlisle, Coleman, J. W. Davis, Nathaniel Davis, Gladney, Goldsby, Hall, Hendree, Henshaw, Howard, Kavanaugh, M. A. King, Manasco, McAllister, Oates, Pool, W. M. Smith, Staton, Stephens, Sterrett, Turner, Whitsitt and Wilson.

The engrossed bill for the relief of Joseph H. Dickson, was read a third time and passed. Yeas 44: nays 38.

Those who voted in the affirmative are, Messrs. Adams, Armstrong, Booth, Bradford, Brown, Campbell, Carlisle, Clements

Coleman, Cox, Critcher, J. W. Davis, Earnest, Goldsby, Henderson, Lea, Liddell, Manasco, Moragne, McAllister, McCollum, Moss, Oates, Pettey, Phillips, Pool, Price, Prentice, Shelley, John Smith, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Tarrant, Turner, Wallace, Warren, Watkins, Whitsitt, George W. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Allen, Allison, Ashley, Austin, Banks, Beck, Benbow, Bennett, Boon, Bulger, Byrd, Cooper, Nathaniel Davis, Freeman, Gladney, N. S. Graham, W. C. Graham, Hall, Hendree, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Porter King, Majors, McCaskill, McMullen, Nicks, Presley, Reaves, Roper, Shorter, Walton, Webb, P. Williams and Wilson.

Mr. Moss moved to reconsider the vote just taken, which, upon motion of Mr. Shorter, was postponed until to-morrow, 11 o'clock.

Engrossed bills:

To authorise the commissioners of roads and revenue in the county of Walker to levy a county tax:

For the relief of James Chandler:

For the relief of Joseph Henrick:

For the relief of Ellsberry Fails:

To authorise bailiff's tickets and jury certificates to be received in payment of county taxes in Covington county:

Were severally read the third time and passed.

The engrossed bill to consolidate the offices of tax assessor and collector in the counties of Walker and Madison was read a third time, which said bill the House refused.

The bill to change the mode of receiving and disbursing the revenue of Mobile county, and for other purposes, was read a second time and referred to a special committee, to be composed of the representatives from Mobile.

The bill to provide for the taking care of the State capitol was read a second time and referred to the Committee on the State Capitol.

The bill to prevent slaves and free persons of color from trading was read a second time and referred to the Committee on Ways and Means.

The bill to arrange and fix the time when the chancery courts in the middle division shall be held was read a second time and referred to a select committee, to be composed of one representative from each district in said division.

The bill to make the county treasurer of Madison county elective by the people was taken from the table, and on motion of Messrs. Presley and Reaves, amended by adding Chambers and Randolph.—The bill was then ordered to be engrossed for a third reading.

The joint resolutions to provide a seal and flag for the State of Alabama, and for other purposes, were read a second time and amended,

On motion of

Mr. Byrd, by adding "probate" after "circuit court" in the joint resolution.

Mr. Cooper moved to amend said joint resolution by striking out all that provides for a crest in the proposed arms.

On motion of

Mr. Webb, said amendment was laid on the table.

Mr. Nathaniel Davis moved to amend by striking out the words "encircled by a serpent."

On motion of

Mr. Byrd, this amendment was laid on the table.

Mr. Nathaniel Davis moved to amend by adding "and a dove" after serpent.

On motion of

Mr. F. S. Jackson, this amendment was laid on the table.

Mr. Staton moved to lay the joint resolutions on the table.—Said motion was lost.

Mr. Price Williams moved to amend by striking out all that relates to the arm, serpent and sword. Said motion was lost.

Mr. Walker moved to recommit said joint resolutions, with instructions to the committee to change the crest. Said motion was lost and the joint resolutions ordered to be engrossed for a third reading.

The bill from the Senate to define more fully the duties of the commissioners of the turnpike road in Lawrence county, &c., was read a second time and referred to the Committee on Roads, Bridges and Ferries.

The bill to repeal in part and amend an act to establish a criminal court in the city of Mobile, approved 3d February, 1846, was read the second time.

Mr. Booth moved to refer said bill to the Committee on the Judiciary, with instructions to report a general bill providing for the election of registers and masters in chancery by the people.

Mr. Hall moved the previous question.

On motion of

Mr. Oates the whole subject was postponed until to-morrow, at 12 M.

And the House adjourned until to-morrow morning, at 10 o'clock.

SATURDAY, December 6, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Messrs. Benbow and Henderson.

On motion of

Mr. Price Williams, the vote by which the House on yesterday refused to pass the bill to consolidate the offices of tax assessor and collector in the counties of Walker and Marion was reconsidered and the bill placed among the orders of the day.

Bills were introduced by:

Mr. McMullen, to repeal in part an act therein named:

Mr. J. W. Davis, to prevent injury by burning the woods at improper seasons of the year:

Mr. Holley, to establish as far as practicable deeds for land, marriage licenses, &c., consumed by fire with the court house of Coffee during the year, 1851:

Mr. Williamson, to incorporate the Lowndesboro' Female Institute:

Mr. Moss, for the relief of David Campbell:

Mr. Prentice, to regulate suits before justices of the peace in the county of Shelby:

Mr. Nicks, to abolish and establish certain election precincts in Talladega county:

Mr. Liddell, to amend the third section of an act to reform the evils arising from local legislation, approved March 3, 1848:

Mr. Freeman, for the relief of Hansford S. Jones:

Mr. Freeman, to incorporate Parnassus Academy, in Lowndes county:

Mr. Bulger, to authorise the administrator of Elizabeth T. Lindsay, of Tallapoosa county, deceased, to sell certain real estate of her intestate:

Which were severally read and ordered to a second reading.

Mr. M. A. King presented the petitions of certain citizens of Vienna, in Madison county, which was referred to the Committee on Ways and Means:

Also, the account of Thomas M. Mecoby, which was referred to the Committee on Accounts.

Mr. Moss presented the account of Dr. A. B. McWhorter, which was referred to the Committee on Accounts.

Mr. Banks presented the petition of Arthur Foster, *et al.*, in behalf of Robert L. Boyd, which was referred to the Committee on Propositions and Grievances.

Mr. lements presented the petition of Cornelius Moore, *et al.*, which was referred to the Committee on Privileges and Elections.

Mr. Presley, from the Committee on Divorce and Alimony, reported a bill to divorce certain person therein named, which was read and ordered to a second reading.

Mr. Shelley, from the same committee, reported back the bill to legalise a certain marriage therein named, and for other purposes. Said bill was ordered to be engrossed for a third reading.

Mr. Armstrong, from the Committee on the Sixteenth Section Fund, reported a bill to authorise the issuing of patents in certain cases, which was read and ordered to a second reading.

Mr. W. P. Davis, from the select committee to whom was referred the bill to tax prosecutors with the costs in frivolous or malicious prosecutions, and the bill from the Senate to suppress malicious prosecutions for misdemeanors, reported the same back.

Mr. Allison moved to lay the first of said bills on the table.

Mr. Nathaniel Davis moved its postponement until the fourth Monday in January next, which motion was lost. Yeas 33; nays 43.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Armstrong, Beck, Booth, Bulger, Campbell, Nath'l Davis, Nich. Davis, Gladney, Goldsby, W. C. Graham, Hopkins, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Manasco, McAllister, McCaskill, Moss, Nicks, Reaves, Shorter, Sterrett, Walker, Wallace, Watkins, Webb, Whitsitt and Williamson.

Those who voted in the negative are, Messrs. Allen, Austin, Banks, Benham, Bennett, Boon, Brown, Boyd, Carlisle, Coleman, Cooper, Cox, Critcher, J. W. Davis, W. P. Davis, Freeman, N. S. Graham, Henshaw, Howard, Liddell, Majors, Moragne, McCollum, McMullen, Oates, Pettey, Pool, Prentice, Presley, Price, Roper, John Smith, W. M. Smith, Staton, Stephens, Snowden, Tarrant, Walton, Warren, G. W. Williams, P. Williams and Wilson.

Mr. Allison withdrew his motion to lay on the table.

Mr. Byrd moved to amend the bill by striking out the word "or" between the words "frivilous or malicious," and inserting the word "and." Said motion was lost, and the bill was ordered to be engrossed for a third reading. Yeas 47; nays 32.

Those who voted in the affirmative are, Messrs. Allen, Austin, Banks, Benham, Bennett, Boon, Bradford, Brown, Bulger, Carlisle, Clements, Coleman, Cooper, Cox, Critcher, J. W. Davis, W. P. Davis, Freeman, N. S. Graham, Holley, Howard, J. W. W. Jackson, Kavanaugh, Liddell, Majors, Manasco, Moragne, McCollum, McMullen, Oates, Pettey, Pool, Prentice, Presley, Price, Roper, John Smith, W. M. Smith, Staton, Stephens, Snowden, Tarrant, Wallace, Walton, Warren, G. W. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Armstrong, Ashley, Beck, Booth, Byrd, Campbell, Nathaniel Davis, Nicholas Davis, Gladney, Goldsby, W. C. Graham, Hall, Hendree, Hopkins, F. S. Jackson, M. A. King, McAllister, McCaskill, Moss, Nicks, Reaves, Shorter, Turner, Walker, Watkins, Webb, Whitsitt, Williamson and Woolsey.

The Senate bill above named was then, on motion of

Mr. Phillips, laid on the table.

The motion of Mr. Moss, made on yesterday and postponed until 11 o'clock this day, to reconsider the vote by which the House on yesterday passed the bill for the relief of Joseph H. Dickson was then put and prevailed, and, on motion of

Mr. Watkins, the bill was laid on the table.

The amendment to the rules of the House offered by Mr. Watkins on yesterday was adopted.

Mr. Hall offered the following resolution, which was adopted:

Resolved, That the Committee on State Apportionment and Representation be authorised to employ an additional clerk.

Mr. Woolsey offered the following resolution, which was adopted:

Resolved, That the use of the representative hall be granted to the Alabama State Medical Association on next Tuesday night, for the delivery of their oration.

The House then resumed the consideration of the bill from the Senate to repeal in part and amend an act to establish a criminal court in the city of Mobile, approved 3d February, 1846.

The question recurred on the motion of Mr. Hall for the previous question.

Mr. Oates moved to postpone the bill until the fourth Monday in January, which motion was lost. Yeas 34; nays 51.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Booth, Byrd, Carlisle, Cooper, Earnest, Glover, Goldsby, Gonder, Hendree, Henshaw, Holley, Hopkins, Kavanaugh, M. A. King, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Snowden, Walker, Wallace, Walton, Watkins, Webb and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin, Banks, Beck, Bennett, Boon, Bradford, Bulger, Campbell, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Shorter, W. M. Smith, Stephens, Stone, Sterrett, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson.

The motion for the previous question was not sustained.—Yeas 43; nays 46.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Austin, Boon, Bradford, Bulger, Clements, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Ashley, Banks, Beck, Benham, Bennett, Brooks, Brown, Byrd, Carlisle, Cooper, Earnest, Freeman, Gonder, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Majors, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Sterrett, Snowden, Walker, Wallace, Walton, Webb, P. Williams, Williamson and Woolsey.

Mr. Booth, by leave, withdrew his motion to refer said bill heretofore made.

Mr. Webb moved to refer the bill to the Committee on the Judiciary, which motion was lost. Yeas 44; nays 44.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Beck, Bennett, Booth, Bradford, Byrd, Carlisle, Cooper, Earnest, Freeman, Goldsby, Gonder, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Prentice, Presley, Roper, Shelley, John Smith, [illegible], Sterrett, Snowden, Walker, Wallace, Walton, Watkins, Webb, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin, Boon, Brown, Bulger, Campbell, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Gladney, N. S. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson.

Mr. Oates moved to amend the bill as follows: *Provided*, Nothing herein contained shall be construed so as to deprive the present incumbent of his office during his appointed term.

Mr. George W. Williams moved to lay said amendment on the table.

Mr. Byrd moved to lay the bill on the table.

Mr. Phillips demanded a divison of the question, which was first taken on laying the amendment on the table, and lost. Yeas 43; nays 45.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Austin, Bennett, Boon, Brown, Bulger, Campbell, Clements, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Gladney, N. B. Graham, Hall, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Shorter, W. M. Smith, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams and Wilson.

Those who voted in the negative are, Messrs. Adams, Allison, Ashley, Banks, Beck, Benbow, Booth, Bradford, Byrd, Carlisle, Cooper, Earnest, Freeman, Goldsby, Gonder, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, McCollum, Moore, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Staton, Stephens, Sterrett, Snowden, Walker, Wallace, Walton, Watkins, Webb, Williamson and Woolsey.

And the laying the bill on the table was lost.

Mr. Howard moved to reconsider the vote by which the House refused to lay on the table the amendment offered by Mr. Oates, pending which question,

Mr. F. S. Jackson, by leave, offered the following resolution, which was adopted:

Resolved, That, with the concurrence of the Senate, the two Houses will assemble in the hall of the House of Representatives on Friday, 12th inst., at 12 M., for the purpose of electing a Comptroller, Treasurer and Secretary of State for the ensuing term of office prescribed by law.

And then the House adjourned until Monday morning, at ten o'clock.

MONDAY, December 8, 1851.

The House met pursuant to adjournment.

Bills were introduced by:

Mr. McAllister, to authorise the commissioners' court of the county of Henry to levy a special tax to build a jail in said county:

Mr. Wilson, giving to justices of the peace jurisdiction in cases of affrays and common assaults and batteries:

Mr. Bennett, to relieve Elizabeth A. Malone from certain disabilities:

Mr. Bulger, to discontinue certain election precincts therein named:

Mr. Bulger, to compel chancellors to hold their courts:

And were severally read and ordered to a second reading.

Mr. Wilson presented the petition and account of Absalom Coffee, John Ray, and Joseph Ray, which was referred to the Committee on Propositions and Grievances.

Mr. Freeman presented the account of Joseph C. Brooks, and Mr. Bennett the account of Irby Woolly, which were referred to the Commmittee on Accounts.

Mr. Bennett presented the petition of Henry Looney, *et al.*, which was referred to the Committee on Ways and Means.

Mr. Banks presented the petition of Henry Blackburn, *et al.*, which was referred to the Committee on Roads, Bridges and Ferries.

Reports.

Mr. Webb, from the Committee on the Judiciary, reported adversely to the joint resolutions to amend the constitution of the State. The House refused to concur in said report. On motion of

Mr. Oates, the said joint resolutions were referred to a select committee to be composed of one representative from each judicial district.

Mr. Shorter, from the same committee, reported adversely to the bill for the relief of the estate of Francis S. Palmer, deceased.

On the motion of

Mr. Shorter, the report and bill were laid on the table.

Mr. Gladney, from the Committee on Ways and Means, reported adversely to the citizens of Tallapoosa county, in relation to the protection of sheep, by imposing a tax on all dogs over two in number owned by one person.

On motion of

Mr. Phillips, the report was laid on the table and the petition referred to a select committee composed of the representatives from Mobile and Tallapoosa.

Mr. Francis S. Jackson, from the Committee on Federal Relations, to whom was referred the joint resolutions approving the course of William R. King and Jere. Clements in the Senate of the United States, reported a substitute therefor, which was adopted.

Mr. Phillips moved to postpone the further consideration of the resolutions until the fourth Monday in January next, which motion was lost. Yeas 40; nays 47.

Those who voted in the affirmative are, Messrs. Adams, Allen, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Shorter, Stephens, Stone, Tarrant, Turner, Whitsitt, G. W. Williams, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Beck, Benham, Booth, Bradford, Byrd, Carlisle, Clements, Cooper, Nich. Davis, Earnest, Freeman, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Moragne, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, Williamson, and Woolsey.

Mr. N. S. Graham moved their postponement until the first Monday in January, which motion was lost. Yeas 40; nays 45.

Those who voted in the affirmative are, Messrs. Adams, Allen, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, N. S. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Sherfer, Stephens, Stone, Tarrant, Turner, Whitsitt, George W. Williams, Price Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Beck, Benham, Booth, Bradford, Byrd, Carlisle, Clements, Cooper, Nich. Davis, Freeman, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Watkins, Webb, Williamson and Woolsey.

Mr. Campbell moved to amend said joint resolutions as follows:

And be it further resolved, That we will support the Hon. Wm. R. King for the office of President or Vice President of the United States at the election for 1852, should he become a candidate for either of said offices.

Mr. N. S. Graham moved to amend said amendment as follows:

And hereby pledge ourselves to support him for said office in connection with a Dallas, a Buchanan, a Stockton, or some other distinguished Northern democrat equally sound upon the constitutional rights of the South, for the office of Vice President of the United States.

On motion of

Mr. Jones, the further consideration of the joint resolutions and amendments were postponed until Monday next.

Mr. Walker, from the Committee on the Judiciary, reported adversely to the bill to provide for the paying of judges, clerks and registers of the different courts of this State for transcripts in appeals to the supreme court, or to be used for any other purpose.

Mr. Reaves moved to lay said report on the table, which motion was lost. Yeas 19; nays 54.

Those who voted in the affirmative are, Messrs. Allen, Carlisle, Cooper, Gladney, N. S. Graham, Hopkins, Liddell, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Robinson, Shelley, Wallace, Whitsitt, G. Williams and P. Williams.

Those who voted in the negative are, Messrs. Speaker, Adams, Armstrong, Ashley, Austin, Banks, Bennett, Beck, Boon, Booth, Bradford, Brown, Byrd, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, Nich. Davis, Freeman, W. C. Graham, Hall, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Porter King, Majors, Manasco, Moragne, McCollum, McMullen, Moss, Nicks, Oates, Prentice, Presley, Roper, Shorter, John Smith, W. M. Smith, Stanton, Stephens, Sterrett, Snowden, Tarrant, Turner, Walker, Walton, Warren, Webb, Williamson and Wilson.

And the report was concurred in.

Mr. Walker, from the same committee, to whom was referred the bill to authorise the judge of probate for Talladega county to qualify certain persons therein named as commissioners of roads and revenue, &c., reported a substitute therefor, which was adopted and the bill ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, reported adversely to the bill for the relief of the widow and heirs at law of Hugh McCormack, deceased.

On motion of Mr. Sterrett, the report and bill were laid on the table.

Mr. Walker, from the same committee, reported adversly to the petition of Susan B. [illegible]. The report was concurred in.

Mr. Walker, from the same committee, reported adversely to the bill to designate the office days for business purposes in the probate court of Covington.

Mr. Snowden moved to lay said report on the table, which motion was lost and the report concurred in.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To consolidate the offices of tax assessor and collector in the counties of Walker and Marion:

To legalise a certain marriage therein named: and

The bill from the Senate for the payment of Wm. McCarty, jailor of Jefferson county:

Were severally read the third time and passed.

The engrossed bill to tax prosecutors with the costs of frivolous or malicious prosecutions was read the third time.

Mr. Cooper moved to amend said bill by way of engrossed ryder, as follows:

After the word "misdemeanor" add "where no conviction is had."

Pending which question, the House adjourned until to-morrow morning, at 10 o'clock.

TUESDAY, December 9, 1851.

The House met pursuant to adjournment.

Mr. Wesley M. Smith (by leave) offered the following resolution, which was adopted:

Resolved, That, with the concurrence of the Senate, the two Houses will meet in the hall of the House of Representatives on Thursday next, at the hour of 12 M., for the purpose of electing a judge of the supreme court to fill the vacancy occasioned by the resignation of the Hon. Silas Parsons.

Mr. Speaker laid before the House a communication from the Governor transmiting the report and vouchers of the State Capitol commissioners. Said accounts were referred to the Committee on the State Capitol.

Mr. Speaker also laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Also, a memorial from the railroad convention held at Cedar Bluff, which was referred to the Committee on Internal Improvement.

Also, the following communication from the Secretaty of State, which, on motion of

Mr. N. S. Graham, was ordered to be spread upon the journal of the House:

SECRETARY OF STATE'S OFEICE,
Montgomery, (Ala.,) 9th December, 1851.

Sir: With the expiration of my present term of office as Secretary of State, it is my intention to close the official connexion which I will have borne to the State government of Alabama for a period of twelve years.

They have thus far been to me years of much labor, responsibility and anxiety, but also of much that was pleasant. My heart bears a grateful recollection of the many favors which, during that time, I have received at the hands of the representatives of the people, and strongly impels me to seek some mode in which I can convey to them at parting an expression of my sense of gratitude.

I hope, sir, I may be pardoned for doing so in this form and through you, as I am but following a precedent of two of my honored predecessors, the late Col. James Jay Pleasants and Col. James Innes Thornton.

With many thanks to the General Assembly for their past confidence and kindness, I offer to them my parting salutations.

With much respect,
I have the honor to be,
Your obedient servant,
W. GARRETT.

Hon. J. D. Rather,
Speaker of the House of Representatives.

Bills were introduced by:

Mr. Staton, to amend the act designating the subjects and sources, and prescribing the rates and mode of taxation, approved 9th February, 1850:

Mr. Woolsey, to incorporate the Burnsville Male and Female Academy:

Mr. Webb, in relation to the duties of registers and masters in chancery:

Mr. Adams, to aid in the construction of the Tennessee and Coosa Railroad:

Mr. Phillips, to amend the charter of the Merchants' Insurance Company of the city of Mobile:

Mr. Price Williams, to incorporate the Grand Temple of Honour and its subordinates:

Mr. Goldsby, to establish an election precinct in the county of Perry:

And were severally read and ordered to a second reading.

Mr. Wilson presented the account of Stone and Brothers, and Mr. F. S. Jackson, the account of T. Burton, which were referred to the Committee on Accounts.

Mr. Nicholas Davis moved to reconsider the vote by which the House on yesterday postponed until Monday next, the resolutions reported by Mr. F. S. Jackson from the Committee on Federal Relations approving the course of the Hon. W. R. King and Jere. Clements in the Senate of the United States; upon which question, Mr. Wilsondemanded the yeas and nays, and the motion prevailed. Yeas 47; nays 40.

Those who voted in the affirmative are, Messrs. Armstrong, Ashley, Banks, Beck, Benham, Booth, Bradford, Byrd, Carlisle, Clements, Cooper, Nath. Davis, Nich. Davis, Earnest, Freeman, Glover, Gonder. Henhaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, McCollum, Moss

Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden. Walker, Wallace, Walton, Warren, Watkins, Webb, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, W. P. Davis, Gladney, Goldsby. N. S. Graham, W. C. Graham, Howard, J. W. W. Jackson, P. King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Whitsitt, G. W. Williams and Wilson.

The question recurred on the motion of Mr. Jones to postpone said resolution until Monday next.

Mr. M. A. King called for the yeas and nays, and the motion was lost. Yeas 38; nays 48.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Bennett, Brown, Campbell, Coleman, Cox, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Howard, J. W. W. Jackson, Jones, Porter King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Whitsitt, G. W. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison, Armstrong, Ashley, Banks, Beck, Benham, Boon, Booth, Bradford, Byrd, Carlisle, Clements, Cooper, Nath. Davis, Nich. Davis, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, P. Williams, S. Williams, Williamson and Woolsey.

Mr. Byrd moved the previous question and Mr. Stone demanded the yeas and nays. The call for the previous question was not sustained. Yeas 44; nays 45.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Banks. Beck, Benbow. Booth, Bradford, Byrd, Carlisle, Cooper, Nich. Davis, Earnest. Freeman. Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin. Bennett, Boon, Brown, Bulger, Campbell, Clements, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, Goldsby. N. S. Graham, Howard, J. W. W. Jackson, Jones, P. King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Whitsitt, G. W. Williams, P. Williams and Wilson.

The question then recurred on the adoption of the amendment offered by Mr. N. S. Graham to the amendment offered by Mr. Campbell to the substitute adopted by the House yesterday.

After some time spent in discussion, Mr. F. S. Jackson moved to adjourn until 10 o'clock, to-morrow morning.

Mr. Price Williams demanded the yeas and nays, and the motion was lost. Yeas 28; nays 50.

Those who voted in the affirmative are, Messrs. Allison, Beck, J. W. Davis, Nathaniel Davis, N. S. Graham, W. C. Graham, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Jones, M. A. King, Liddell, McCollum, Moss, Nicks, Pettey, Prentice, Shorter, W. M. Smith, Snowden, Turner, Walker, Watkins, G. W. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Benham, Bennett, Boon, Booth, Bradford, Brown, Bulger, Byrd, Campbell, Clements, Coleman, Cooper, Cox, Nich. Davis, W. P. Davis, Freeman, Glover, Goldsby, J. W. W. Jackson, Kavanaugh, Porter King, Manasco, Moragne, McAllister, McCaskill, McMullen, Oates, Presley, Reaves, Robinson, Roper, Rowe, Shelley, John Smith, Staton, Sterrett, Stone, Tarrant, Walton, Warren, Webb, Whitsitt, P. Williams and Wilson.

Mr. Nathaniel Davis moved an adjournment until 3 o'clock in the afternoon, and the motion prevailed. Yeas 51; nays 27.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Beck, Benham, Bennett, Boon, Bradford, Brown, Bulger, Campbell, Clements, Cox, Nathaniel Davis, Nich. Davis, W. P. Davis, Freeman, Gladney, Glover, Goldsby, Howard, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Moragne, McCaskill, McMullen, Oates, Pool, Reaves, Robinson, Roper, Rowe, Shorter, Staton, Stephens, Sterrett, Snowden, Stone, Tarrant, Warren, Watkins, Whitsitt, P. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Allison, Booth, Carlisle, Coleman, Cooper, J. W. Davis, N. S. Graham, W. C. Graham, Henshaw, Holley, Hopkins, F. S. Jackson, Liddell, Manasco, McCollum, Moss, Nicks, Prentice, Shelley, John Smith, W. M. Smith, Walker, Walton, Webb, G. W. Williams, S. Williams and Woolsey.

AFTERNOON SESSION, December 9, 1851.

The House met pursuant to adjournment.

Mr. Byrd moved the call of the roll, when the following members answered to the call: Messrs. Speaker, Adams, Allen, Armstrong, Ashley, Beck, Benham, Bennett, Boon, Bradford, Brown, Bulger, Byrd, Campbell, Carlisle, Clements, Coleman, Cox, J. W. Davis, Nath. Davis, Nich. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N. S. Graham, Henshaw, Holley, F. S. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Liddell, Moragne, McAllister, McCaskill, McCollum, McMullen, Moss, Nicks. Oates, Pettey, Phillips, Pool, Prentice Reaves, Roper, Rowe, Shelley, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Stone, Tarrant, Turner, Warren, Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams, Williamson and Wilson.

Mr. Speaker laid before the House an invitation from the State medical association to this House to attend the delivery of the annual oration of said association on this evening.

On motion of

Mr. Shorter, the invitationwas accepted.

The House then resumed the consideration of the resolution under discussion on this morning, and after some time spent therein,

On motion of

Mr. Moss, the House adjourned until to-morrow morning, at ten o'clock.

WEDNESDAY, December, 10, 1851.

The House met pursuant to adjournment.

Mr. Glover moved to suspend the call of the committees to take from the general order the bill from the Senate conferring certain powers on the judge of the circuit court of Mobile county and on the judge of the city court of Mobile, and to continue the consideration of the joint resolutions approving the course of W. R. King and Jere. Clemens in the Senate of the United States. Said motion prevailed and the bill indicated therein was read the second time and the constitutional rule being suspended, was read the third time forthwith and passed.

On motion of

Mr. Robinson, said bill was ordered to be returned forthwith to the Senate.

The House then resumed the consideration of the said resolutions, the question recurring on the adoption of the amendment of Mr. N. S. Graham to the amendment of Mr. Campbell.

The hour of 12 o'clock having arrived, the general order of the day was suspended to enable Mr. N. S. Graham to make a report and to continue the consideration of the matter under discussion.

Mr. N. S. Graham then reported that the joint committee appointed to wait on the Governor and inform him of his election, and ascertain at what time it would suit him to take the oath of office, had performed that duty, and that the Governor had designated the 17th inst. as the day which would suit his convenience.

The House then resumed the consideration of said resolutions. After some time spent in discussion,

Mr. Moss moved an adjournment until to-morrow, at 10 o'clock.

Mr. Bulger demanded the yeas and nays, and the motion prevailed. Yeas 51; nays 31.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Austin, Beck, Benbow, Bradford, Caffey, Carlisle, Cox, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Freeman, Goldsby, Gonder, N. S. Graham, W. C. Graham, Henshaw, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Jones, M. A. King, Porter King, Liddell, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Moss, Nicks, Pool, Pettey, Prentice, Robinson, W. M. Smith, Sterrett, Snowden, Turner, Walker, Walton, Watkins, G. W. Williams, S. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Allen, Allison, Ashley, Bennett, Booth, Brown, Bulger, Byrd, Clements, Cooper, Critcher, Earnest, Gladney, Glover, Hopkins, Oates, Phillips, Presley, Reaves, Roper, Rowe, Shelley, John Smith, Stephens, Stone, Tarrant, Wallace, Warren, Webb, Whitsitt and Price.

THURSDAY, December, 11, 1851.

The House met pursuant to adjournment.

Mr. Moss by leave offered the following resolutions, which were adopted:

Resolved, That the use of this hall be tendered to Mr. James A. Watterson, on Tuesday evening next, at 7½ o'clock, for the purpose of exhibiting his deaf and dumb pupils, and that this House will attend to witness the same.

Resolved further, That the Senators are hereby invited to seats within the bar of the House to witness said exhibition.

The engrossed bill in relation to the commissioners of revenue and roads for Talladega county was, on motion of

Mr. Shelley, taken from the orders of the day, read the third time and passed, and sent forthwith to the Senate.

Bills were introduced by:

Mr. Moragne, providing for the extension of the sixteenth section notes:

Mr. G. W. Williams, to authorise the sheriff of Henry county to advsrtise his sales in the Abbeville Banner, a newspaper published in the town of Abbeville in said county:

Mr. Nathaniel Davis, to levy a tax on suits in the supreme court and to add another judge to said court:

Mr. M. A. King, to regulate the publication of legal notices in the counties of this State:

Mr. Phillips, to incorporate the Montgomery and Mobile Railroad Company:

Mr. P. Williams, to amend the law regulating the duties of executors and administrators:

Mr. Rowe, for the benefit of township 22, range 24, east, in Tallapoosa county:

And were severally read and ordered to a second reading.

Mr. Woolsey introduced a bill in relation to the estate of Jas. M. Hardy, deceased, which was read, and the constitutional rule being suspended, was read the second and third times forthwith and passed.

Mr. Cooper introduced a joint resolution providing for a convention to remodel the constitution of this State, which was read and ordered to a second reading.

Mr. Ashley presented the account of James Floyd, which was referred to the Committee on Accounts.

Mr. Geo. W. Williams presented the petition of sundry citizens of Henry county, which was referred to a select committee composed of the representatives from Henry.

Mr. Walker presented the petition of Zilpah F. Rogers, and Mr. Glover the petition of W. K. Pooling, which were referred to the Committee on Propositions and Grievances.

Mr. Bennett presented the petition of John F. Dill, which was referred to the Committee on Internal Improvement.

The House then resumed the consideration of the joint resolutions approving the course of William R. King and Jere. Clemens in the Senate of the United States.

After some time spent in discussion,

Mr. Nathaniel Davis moved to suspend the further consideration of the matter under discussion, to enable the doorkeeper to prepare seats for the Senate.

Mr. Shelley moved to amend said motion by adding "that the resolutions under consideration approving the votes of senators King and Clemens upon the passage of the compromise measures be made the special order for 3 o'clock, P. M., of each day until disposed of."

Said amendment was adopted, and pending the question of the adoption of the motion as amended, the hour of 12 M. having arrived, the Senate, by invitation, appeared within the hall of the House, and the two Houses in convention proceeded to the election of a judge of the supreme court to fill the vacancy

occasioned by the resignation of the Hon. Silas Parsons, Messrs. David G. Ligon and John D. Phelan being in nomination.

Those who voted for Mr. Ligon are, Messrs. President, Baker, Bibb, Crenshaw, Gunn, Pearson, Jones, Johnson, Leslie, Perrin, Patton, Ricks, Stephens, Tarrant and Watrous, of the Senate—16. Messrs. Speaker, Adams, Allison, Armstrong, Ashley, Bass, Benbow, Benham, Booth, Bradford, Brown, Byrd, Caffey, Carlisle, Campbell, Cooper, Critcher, Earnest, Gonder, W. C. Graham, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Moragne, McCollum, Moss, Nicks, Pettey, Presley, Roper, Shelley, John Smith, W. M. Smith, Staton, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey, of the House—49: 16—65.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Cocke, Frazier, Fleming, Garrett, Heflin, James, Kelly, Malone, Mathews, O'Neal, Pearson, Storrs, Toulmin, Walker and Winston, of the Senate—16 Messrs. Allen, Austin, Banks, Beck, Bennett, Boon, Bulger, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Freeman, Goldsby, N. S. Graham, Hall, Holley, Howard, J. W, W. Jackson, Jones, Porter King, Lea, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, Stephens, Sterrett, Stone, Tarrant, Turner, Whitsitt, George W. Williams, P. Williams and Wilson, of the House—45: 16—61.

Mr. Glover voted for Mr. Manning and Mr. Oates for Mr. E. W. Peck.

Mr. Ligon having received a majority of all the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected a judge of the supreme court for the time prescribed by the constitution.

The Senate then withdrew, and the general orders being suspended, the House resumed the consideration of the joint resolutions under consideration during the forenoon. After some discussion thereon,

Mr. F. S. Jackson moved an adjournment until to-morrow morning, at 10 o'clock.

Mr. Nathaniel Davis demanded the yeas and nays, and the motion prevailed. Yeas 46 ; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Beck, Bennett, Boon, Byrd, Caffey, Carlisle, Cox, Critcher, J. W. Davis, Earnest, Goldsby, N. S. Graham, W. C. Graham, Hendree, Henshaw, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kvaanaugh, M. A. King, Lea, McAllister, McCollum, Moss, Nicks, Pettey, Pool, Reaves, Robinson, Shorter,

W. M. Smith, Stephens, Sterrett, Turner, Walker, Walton, Watkins, G. W. Williams, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Ashley, Austin, Banks, Bass, Booth, Brown, Bulger, Campbell, Clements, Coleman, Cooper, Nath. Davis, W. P. Davis, Gladney, Moragne, McCaskill, McMullen, Oates, Phillips, Presley, Price, Roper, Rowe, Shelley, John Smith, Snowden, Storrs, Tarrant, Wallace, Webb, Whitsitt and Wilson.

DECEMBER 12, 1851.

The House met pursuant to adjournment.

The Speaker laid before the House records of divorce, which were referred to the Committee on Divorce and Alimony.

A message was received from the Senate by Mr. Kidd, informing the House that the Senate had concurred in the resolution from the House proposing to elect a comptroller, treasurer and secretary of State and had amended the same by adding "and an adjutant and inspector general and quarter master general."

On motion of

Mr. Clements, the amendment of the Senate was amended by striking out the words "quarter master general," and as amended concurred in.

Mr. Gonder offered the following resolution, which was adopted:

Resolved, That the Committee on Enrolled Bills be instructed to examine the various bills of incorporations that have passed the House this session, for the purpose of ascertaining whether or not banking privileges have been conferred by said bills.

Bills were introduced by:

Mr. Presley, defining the duty of constables in the county of Chambers:

Mr. Presley, to establish an election precinct in the county of Chambers:

Mr. Cooper, making appropriations to remove obstructions in the navigation of the upper Coosa:

Mr. N. S. Graham, to incorporate the Rockford Masonic Male and Female Institute:

Mr. Woolsey, to change the time of appointing assessors in the several counties:

Mr. Coleman, for the relief of certain persons therein named:

Mr. John Smith, to change the county line between Tallapoosa and Marion:

Mr. Williamson, to limit the State tax upon causes in the supreme court:

Mr. Seaborn Williams, to increase the pay of commissioners of revenue and roads for Marion county:

Mr. Byrd, to authorise the commissioners' court of Marengo county to levy a special tax to build a county jail:

Mr. Brown, to regulate the election of commissioners of revenue and roads in the county of Marion:

Mr. Phillips, to extend the charter of the Mobile Medical Society;

Mr. P. Williams, to amend the stray laws:

Mr. P. Williams, to provide for contesting the municipal elections of Mobile:

Mr. Walton, to provide for the opening of private roads:

And were severally read and ordered to a second reading.

Mr. McCaskill presented the petition of citizens of Monroe county, and

Mr. Bulger, the petitions of citizens of Tallapoosa:

Which were referred to the Committee on Privileges and Elections.

Mr. Porter King introduced a bill for the relief of Thomas Nelms, tax collector of Perry county, which was read, and the constitutional rule being suspended, was read the second time and referred to the Committee on Ways and Means:

Mr. Bennett introduced a bill to provide for the payment of the managers and clerks of elections, which was read, and the House refused to order it to a second reading.

The joint resolutions approving the course of William R. King and Jere. Clemens in the Senate of the United States being the order for this hour, were suspended.

Mr. Watkins, from the Committee on Privileges and Elections, made the following report:

The Committee on Privileges and Elections, to whom sundry papers, &c., relative to the contested election from the county of Dale were referred, instruct me to report, that after a full examination of the evidence submitted to them in said cause touching the right of the several persons therein mentioned to vote in said election, they are of opinion and have determined that the proof sustains the right of all the persons whose votes are contested to vote in said election, except one Joel Martin, who, on account of its being satisfactorily proven that he was of black parentage on the maternal side, the committee have determined was by the laws of the State disqualified from voting in said election.

The committee further instruct me to report, that after determining that said Martin was disqualified from voting for the cause above mentioned, they proceeded to examine and compare the list of votes and tickets furnished by the Secretary of State in conformity with a resolution adopted by the House of Representatives, purporting to be the list kept and tickets given in at said election in said county of Dale, but owing to the confused condition of the tickets sent from some of the precincts, the committee have not been enabled to ascertain who the said Martin voted for, or whether be voted at all in said election.

Being prevented from reporting any thing for the action of the House for the reasons above given, the committee respectfully ask to be discharged from the further consideration of the subject. Said report was concurred in.

Mr. Earnest, from the select committee to whom was referred the bill to change the time of holding the circuit court in Jefferson county, and for other purposes, reported the same back. Said bill was ordered to be engrossed for a third reading.

On motion of

Mr. Nathaniel Davis, the resolution heretofore offered by him in relation to afternoon sessions was taken up for consideration, Mr. Nathaniel Davis having demanded the yeas and nays on taking up said resolution. Yeas 62; nays 23.

Those who voted in the affirmative are, Messrs. Adams, Allison, Ashley, Austin, Banks, Bass, Benbow, Bennett, Boon, Booth, Brown, Bulger, Caffey, Campbell, Carlisle, Clements, Coleman, Cooper, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, Hendree, Henshaw. Holley; Hopkins, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Majors, Manasco, McCaskill, McMullen, Oates, Phillips, Prentice, Price, Reaves, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton. Stephens, Snowden, Stone, Tarrant, Walton, Warren, Webb, P. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Armstrong, Beck, Cox. Critcher, Nich. Davis, N. S. Graham, W. C. Graham, Henderson, Jones, Larkin, Liddell, McAllister, McCollum, Moss, Nicks, Robinson, Sterrett, Walker, Watkins, G. W. Williams, S. Williams and Woolsey.

Mr. Nathaniel Davis moved to amend said resolution by striking out "December first" and inserting "thirteenth."

Mr. Cooper moved to insert "the 31st."

Mr. Jones moved to insert "the 20th."

Mr. Nathaniel Davis demanded the yeas and nays thereon, and the motion prevailed. Yeas 46; nays 42.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Austin, Beck, Benbow, Carlisle, Clements, Cooper, Critcher, J. W. Davis, W. P. Davis, Earnest, Freeman, Glover, Goldsby, N. S. Graham, Henderson, Holley, Hopkins, Howard, F. S. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Liddell, Majors, McAllister, McCollum, Moss, Nicks, Oates, Prentice, Robinson, Shelley, Stephens, Sterrett, Snowden, Turner, Walker, Walton, Watkins, G. W. Williams, S. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison, Allen, Banks, Bass, Bennett, Boon, Booth, Bradford, Brown, Bulger, Byrd, Campbell, Coleman, Cox, Nathaniel Davis, Nich. Davis, Gladney, W. C. Graham, Hendree, Henshaw, J. W. W. Jackson, Manasco, McCaskill, McMullen, Pettey, Phillips, Pool, Presley, Price, Reaves, Roper, Rowe, John Smith, W. M. Smith, Staton, Tarrant, Warren, Webb, Whitsitt, Price Williams and Williamson.

Mr. Webb moved further to amend said resolution by striking out "nine" and inserting "ten." Said motion prevailed and the resolution was adopted as amended.

The House then proceeded to the consideration of the orders of the day.

The engrossed bill to tax prosecutors with the costs of frivolous or malicious prosecutions, and read the third time on the Sth inst., was put upon its passage. The question recurred on the adoption of the engrossed ryder offered by Mr. Cooper on said day.

Mr. M. A. King moved to lay the bill and ryder on the table.

Mr. Manasco called for a division of the question, which was first taken on laying the ryder on the table and lost.

Mr. Holley demanded the yeas and nays on laying the bill on the table, and the motion prevailed. Yeas 47; nays 43.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Armstrong. Ashley, Bass, Beck. Booth, Bradford. Brown, Bulger, Boyd, Caffey, Campbell, J. W. Davis, Nathaniel Davis, Nich. Davis, Glover, Gonder, W. C. Graham, Henshaw, Hopkins, F. S. Jackson, Kavanaugh. M. A. King, McAllister, Moss, Nicks. Pettey, Philips, Prentice, Robinson, Roper, Rowe, Shorter, Stephens, Sterrett, Turner, Walker, Watkins, Webb, P. Williams. Whitsitt, Williamson and Wilson.

Those who voted in the negative are, Messrs. Allen, Austin, Banks, Benbow, Bennett, Boon, Carlisle, Clements, Coleman, Cooper, Cox. Critcher, W. P. Davis, Earnest, Freeman, Gladney, N. S. Graham, Henderson, Hendree. Holley, Howard, J. W. W. Jackson, Porter King, Liddell, Majors, Manasco, Moragne, McCaskill, McMullen, Oates, Pool, Presley, Price, Reaves, Shelley, John Smith, W. M. Smith. Staton, Snowden, Tarrant, Warren, G. W. Williams and S. Williams.

The engrossed bills:

To make the county treasurer of Madison county elective by the people:

To incorporate the New York and Alabama Steamship Company:

To authorise Moses Cavitt, administrator, &c., of Richard Cavitt, to settle and compromise bad and doubtful debts:

To change and regulate the time of holding the circuit courts of the counties of Jackson, DeKalb and Cherokee:

To divorce certain persons therein named:

And the engrossed joint resolutions to provide a seal and flag for the State of Alabama, and for other purposes:

Were severally read the third time and passed.

The bill from the Senate to incorporate the Rough and Ready Invincibles was read the second time and referred to the Committee on the Military.

The bill from the Senate to change the line of Jackson and Marshall counties was read the second time and referred to the Committee on County Boundaries.

The bill to regulate the allowance of witnesses in criminal cases in the county of Conecuh was read the second time and ordered to be engrossed for a third reading.

The bill to require the judge of probate and commissioners of roads and revenue of Walker county to lay off said county into commissioners' districts was read a second time, and on motion of Mr. Manasco, laid on the table.

The bill to provide for the printing, distributing the code, &c., and for other purposes, was read the second time and referred to the joint committee on the code.

The bill to incorporate the town of Northport, in Tuscaloosa county, was read the second time and referred to the Committee on Corporations.

The bill to incorporate the Coosa and Chattooga Railroad Company was read the second time and referred to the Committee on Internal Improvement.

The hour of 12 M. having arrived, the Senate, by invitation, appeared in the hall of the House, and the two Houses in convention proceeded to the election of

1st. A Comptroller of Public Accounts, Joel Riggs alone being in nomination.

Mr. Nicholas Davis and Mr. William C. Graham voted for Mr. Mudd.

Mr. Pettey and Mr. Walton voted for Mr. Benham, the remaining representatives and senators voting for Mr. Riggs; and he having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected comptroller of public accounts for the term prescribed by law.

2d. A State Treasurer, William Graham alone being in nomination.

Mr. Armstrong and Mr. Bulger voted for Mr. Cooper.

Mr. Cooper voted for Mr. Armstrong.

Mr. Earnest and Mr. Wesley M. Smith voted for Mr. G. W. Williams.

Messrs. Holley and John Smith voted for Mr. Bulger.

Mr. Pettey, for Mr. Earnest.

Mr. Tarrant, for Mr. Nathaniel Davis.

The Senators and remaining Representatives voting voted for Mr. Graham; and he having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected State Treasurer for the term prescribed by law.

3d. A Secretary of State, Messrs. Alexander B. Clitherall, Vincent M. Benham, Robert L. Higgins, Joseph J. Hutchinson and L. P. Saxon being in nomination.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly. Mathews. Pearson, Toulmin and Winston, of the Senate—7. Messrs. Allen, Beck, Boon, Brown, Coleman, Nich. Davis, Gladney. Henderson, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips. Pool, Price, Reaves, Shorter and Stone, of the House—21 : 7—28.

Those who voted for Mr. Benham are, Messrs. Fleming, Malone, O'Neal, Patton and Ricks, of the Senate—5. Messrs. Armstrong, Banks, Booth. Bradford, Carlisle, Freeman, Hendree, Henshaw, Kavanaugh, Oates, Pettey, Presley, Roper, W. M. Smith, Sterrett, Snowden, Tarrant, Walker and Watkins, of the House—21 : 5—26.

Those who voted for Mr. Higgins are, Messrs Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allison, Austin, Bennett, Critcher, Nathaniel Davis, W. P. Davis, W. C. Graham, M A. King, Liddell, Majors, Moragne, Nicks, Prentice, Robinson, Shelley, Staton, Stephens, Warren and Wilson, of the House—19 : 5—24.

Those who voted for Mr. Hutchinson are. Messrs. President, Baker, Bibb. Cocke, Gunn, Jemison, Jones, Johnson, Leslie, Stephenson. Saunders and Watrous. of the Senate—12. Messrs. Ashley, Bass, Benbow, Byrd, Caffey, Cooper, Earnest, Glover, Gonder, Holley, Hopkins, F. S. Jackson, Lea, Moss, John Smith, Walton, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey, of the House—21 : 12—33.

Those who voted for Mr. Saxon are, Messrs. Perrin and Storrs of the Senate—2. Messrs. Adams, Bulger, Campbell, Cox, J W. Davis, N. S. Graham, Hall, Howard, Porter King, Rowe, Turner, Wallace, Webb and G. W. Williams, of the House—14. 2—16.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Toulmin and Winston, of the Senate—7. Messrs. Allen, Beck, Boon, Brown, Coleman, Nicks, Davis, Gladney, Goldsby, Henderson, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Shorter and Stone, of the House—21: 7—28.

Those who voted for Mr. Benham are, Messrs. Fleming, Malone, O'Neal, Patton and Ricks, of the Senate—5. Messrs. Speaker, Armstrong, Banks, Booth, Bradford, Freeman, Hendree, Henshaw, Kavanaugh, Oates, Pettey, Presley, Roper, W.M. Smith, Sterrett, Snowden, Tarrant, Walker and Watkins, of the House—19: 5—24.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allison, Austin, Bennett, Carlisle, Critcher, J. W. Davis, Nath. Davis, W. P. Davis, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Robinson, Shelley, Staton, Stephens, Warren and Wilson, of the House—21: 5—26.

Those who voted for Mr. Hutchinson are, Messrs. President, Baker, Bibb, Cocke, Gunn, Jemison. Jones, Johnson, Leslie, Stephenson, Saunders and Watrous, of the Senate—12. Messrs: Ashley, Bass, Benbow, Byrd, Caffey, Cooper, Earnest, Glover, Gonder, Holley, Hopkins, F. S. Jackson, Lea, Moss, John Smith, Walton, Whitsitt, P. Williams, Williamson and Woolsey, of the House—21: 12—33.

Those who voted for Mr. Saxon are, Messrs. Storrs and Perrin, of the Senate—2. Messrs. Adams, Bulger, Campbell, Clements, N. S. Graham, Hall, Howard, Porter King, Rowe, Turner, Wallace, Webb and G. Williams, of the House—14: 2—16.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Toulmin and Winston, of the Senate—7. Messrs. Adams, Allen, Beck, Boon, Brown, Coleman, J. W. Davis, Nich. Davis, Gladney, Goldsby, Hendree, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Staton and Stone, of the House—23: 7—30.

Those who voted for Mr. Benham are, Messrs. Fleming, Malone, Patton and Ricks, of the Senate—4. Messrs. Speaker, Armstrong, Banks, Booth, Bradford, Carlisle, Clements, Hendree, Henshaw, Kavanaugh, Oates, Pettey, Presley, Roper, John

Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Warren, Watkins and Williamson, of the House—22: 4—26.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allison, Austin, Bennett, Critcher, Nath. Davis, W. P. Davis, W. C. Graham, M. A. King, Liddell, Manasco, Majors, Nicks, Prentice, Shelley, Staton, Stephens, Warren and Wilson, of the House—18: 5—23.

Those who voted for Hutchinson are, Messrs. Prentice, Baker, Bibb, Cocke, Gunn, Jemison, Jones, Johnson, Leslie, O'Neal, Stephenson, Saunders and Watrous, of the Senate—12. Messrs. Ashley, Bass, Benbow, Boyd, Caffey, Cooper, Earnest, Freeman, Glover, Gonder, Holley, Hopkins, F. S. Jackson, Lea, Moss, Walton, Whitsitt, P. Williams, S. Williams and Woolsey, of the House—20: 13—33.

Those who voted for Mr. Saxon are, Messrs. Perrin and Storrs, of the Senate—2. Messrs. Bulger, Campbell, Cox, N. S. Graham, Hall, Howard, P. King, Rowe, Turner, Wallace, Webb and G. W. Williams, of the House—12: 2—14.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fourth time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Toulmin and Winston, of the Senate—7. Messrs. Adams, Allen, Beck, Boon, Brown, Coleman, J. W. Davis, Nicholas Davis, Gladney, Goldsby, Henderson, J. W. W. Jackson, James, Manasco, McAllister, McMullen, Phillips, Pool, Price, Reaves, Shorter, Stone and Turner, of the House—24: 7—31.

Those who voted for Mr. Benham are, Messrs. Fleming, Malone, Patton and Ricks, of the Senate—4. Messrs. Armstrong, Banks, Booth, Bradford, Clements, Freeman, Hendree, Henshaw, Kavanaugh, Oates, Pettey, Roper, W. M. Smith, Sterrett, Snowden, Tarrant, Walker and Watkins, of the House—19: 4—23.

Those who voted for Mr. Higgins are, Messrs. President, Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—6. Messrs. Allen, Austin, Bennett, Carlisle, Critcher, Nathaniel Davis, Gonder, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Presley, Robinson, Shelley, Staton, Stephens, Warren and Wilson, of the House—21: 6—27.

Those who voted for Mr. Hutchinson are, Messrs. Baker, Bibb, Cocke, Gunn, Jemison, Jones, Johnson, Leslie, O'Neal, Stephenson and Saunders, of the Senate—11. Messrs. Ashley, Bass, Benbow, Byrd, Caffey, Cooper, Earnest, Glover, Holley, Hopkins, F. S. Jackson, Lea, Moss, John Smith, Wallace, Walton, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey, of the House—21: 11—32.

Those who voted for Mr. Saxon are, Messrs. Perrin and Storrs, of the Senate—2. Messrs. Bulger, Campbell, Cox, N. S. Graham, Hall, Howard, P. King, Rowe, Webb and G. W. Williams, of the House—10: 2—12.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a fifth time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Toulmin and Winston, of the Senate—7. Messrs. Allen, Beck, Boon, Brown, Coleman, J. W. Davis, Nicholas Davis, Gladney, Goldsby, Henderson, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Shorter, Stone, Turner and G. W. Williams, of the House—24: 7—31.

Those who voted for Mr. Benham are, Messrs Fleming, Patton, Malone and Ricks, of the Senate—4. Messrs. Speaker, Armstrong, Booth, Bradford, Clements, Freeman, Henshaw, Kavanaugh, Oates, Pettey, Presley, Roper, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker and Watkins, of the House—19: 4—23.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allen, Austin, Bennett, Carlisle, Critcher, Nathaniel Davis, W. P. Davis, Gonder, W. C. Graham, Hendree, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Robinson, Shelley, Staton, Stephens, Warren and Wilson, of the House—22: 5—27.

Those who voted for Mr. Hutchinson are, Messrs. President, Baker, Bibb, Cocke, Gunn, Jemison, Jones, Johnson, Leslie, O'Neal, Perrin, Stephenson, Saunders and Watrous, of the Senate—14. Messrs. Ashley, Banks, Bass, Benbow, Byrd, Caffey, Cooper, Earnest, Glover, Holley, Hopkins, F. S. Jackson, Lea, Moss, Wallace, Walton, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey, of the House—22: 14—36.

Those who voted for Mr. Saxon are, Mr. Storrs, of the Senate—1. Messrs. Bulger, Campbell, Cox, N. S. Graham, Hall, Howard, Porter King and Rowe, of the House—8: 1—9.

Neither of the candidates having received a majority of the whole number of votes given, the convention adjourned until 3 o'clock in the afternoon, on motion of Mr. Oates.

The Senate withdrew, and the House adjourned until this afternoon, at 3 o'clock.

AFTERNOON SESSION, December 12, 1851.

The House met pursuant to adjournment.

The Senate by invitation appeared within the hall of the House, and the two Houses in convention resumed the election of a Secretary of State.

Those who voted for Mr. Clitherall are, Messrs. James, Kelly, Mathews, Pearson and Toulmin, of the Senate—5. Messrs. Adams, Allen, Boon, Brown, Coleman, J. W. Davis, Gladney, Goldsby, Henderson, J. W. Jackson, Jones, McAllister, McCaskill, Phillips, Pool, Price, Shorter, Stone and Turner, of the House—19: 5—24.

Those who voted for Mr. Benham are, Messrs. Malone, Patton and Ricks, of the Senate—3. Messrs. Speaker, Booth, Freeman, Hendree, Henshaw, Kavanaugh, Oates, Pettey, Roper, John Smith, W. M. Smith, Sterrett. Snowden, Tarrant, Walker, Watkins and Williamson, of the House—17: 3—20.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin and Tarrant, of the Senate—4. Messrs. Austin, Carlisle, Clements, Critcher. Nathaniel Davis, W. P. Davis, W. C. Graham, M. A. King, Liddell, Moragne, Nicks. Reaves. Robinson, Rowe, Shelley, Stephens and Wilson, of the House—17: 4 21.

Those who voted for Mr. Hutchinson are, Messrs. President. Bibb, Cocke, Gunn, Jones, Leslie, O'Neal, Perrin, Stephenson and Saunders, of the Senate—10. Messrs. Allison, Ashley, Bass, Benbow. Byrd, Caffey, Earnest. Glover, Holley, Hopkins, F. S. Jackson, Lea, Moss. Presley. Walton. Webb, Whitsitt. Price Williams and Woolsey, of the House—19: 10—29.

Those who voted for Mr. Saxon are, Messrs. Bulger, Cox, N. S. Graham, Howard, Porter King and G. W. Williams, of the Senate—6.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot an eighth time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews. Pearson, Toulmin and Winston, of the Senate—7. Messrs. Adams, Allen, Boon, Brown, Coleman, J. W. Davis, Gladney, Goldsby, Henderson, J. W. W. Jackson, Jones, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Shorter and Stone, of the House—20: 7—27.

Those who voted for Mr. Benham are, Messrs. Leslie, Malone, Patton and Ricks, of the Senate—4. Messrs. Speaker, Armstrong, Booth, Bradford, Freeman, Hendree. Henshaw, Kavanaugh, Oates, Pettey, Roper, John, Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Watkins and Williamson, of the House—19: 4—23.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allison, Austin, Bennett, Carlisle, Clements, Critcher, Nath. Davis, W. P. Davis, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Presley, Reaves, Robinson, Shelley, Staton, Stephens, Warren and Wilson, of the House—23 : 5—28.

Those who voted for Mr. Hutchinson are, Messrs. President, Baker, Bibb, Cocke, Gunn, Jemison, Jones, Johnson, O'Neal, Perrin, Stephenson and Saunders, of the Senate—12. Messrs. Ashley, Banks, Bass, Benbow, Byrd, Caffey, Cooper, Earnest, Glover, Gonder, Holley, Hopkins, F. S. Jackson, Lea, Moss, Walton, Webb, Whitsitt, P. Williams, S. Williams and Woolsey, of the House—21 : 12—33.

Those who voted for Mr. Saxon are, Mr. Storrs, of the Sentate—1. Messrs. Bulger, Campbell, Cox, N. S. Graham, Hall, Howard, Porter King, Rowe and G. W. Williams, of the House—9: 1—10.

Neither of the candidates having received a majority of the whole number of the votes given, the convention proceeded to ballot a ninth time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Toulmin and Winston, of the Senate—7. Messrs. Adams, Allen, Boon, Brown, Coleman, Nath. Davis, Gladney, Goldsby, Henderson, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Shorter, Stone, Turner and G. W. Williams, of the House—22 : 7—29.

Those who voted for Mr. Benham are, Messrs. Baker, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks and Stephenson, of the Senate—9. Messrs. Speaker, Armstrong, Booth, Bradford, Byrd, Freeman, Hendree, Henshaw, Kavanaugh, Oates, Pettey, Rowe, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Watkins, Webb and Williamson, of the House —22: 9—31.

Those who voted for Mr. Higgins are, Messrs. President, Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—6. Messrs. Allen, Austin, Bennett, Carlisle, Clements, Cooper, Critcher, J. W. Davis, W. P. Davis, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Presley, Reaves, Robinson, Shelley, Staton, Stephens, Warren and Wilson, of the House—24 : 6—30.

Those who voted for Mr. Hutchinson are, Messrs. Bibb, Cocke, Gunn, Jemison, Jones and Saunders, of the Senate---6. Messrs. Ashley, Banks, Bass, Benbow, Caffey, Earnest, Glover, Gonder, Holley, Hopkins, F. S. Jackson, Lea, Moss, Wallace, Walton, Whitsitt, P. Williams, S. Williams and Woolsey, of the House--19: 6--25.

Those who voted for Mr. Saxon are, Mr. Storrs, of the Senate--1. Messrs. Bulger, Campbell and Porter King, of the House—3: 1—4.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a tenth time, the name of Mr. Saxon being withdrawn.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—8. Messrs. Adams, Allen, Boon, Brown, Bulger, Coleman, W. P. Davis, Gladney, N. S. Graham, Hall, Hendree, Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister, McMullen, Phillips, Pool, Price, Shorter, Stone, Turner and G. W. Williams, of the House—8: 26—34.

Those who voted for Mr. Benham are, Messrs. Baker, Cocke, Johnson, Malone, O'Neal, Perrin, Patton, Ricks and Stephenson, of the Senate—9. Messrs. Speaker, Armstrong, Bass, Bradford, Booth, Carlisle, Freeman, Hendree, Henshaw, F. S. Jackson, Kavanaugh, Oates, Pettey, Presley, Roper, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Watkins, Webb, S. Williams and Williamson, of the House—25: 9—34.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allison, Austin, Bennett, Campbell, Clements, Cox, Critcher, W. P. Davis, Nathaniel Davis, Gonder, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Reaves, Robinson, Rowe, Shelley, Staton, Stephens, Warren and Wilson, of the House—25: 5—30.

Those who voted for Mr. Hutchinson are, Messrs. President, Bibb, Gunn, Jemison, Leslie and Saunders, of the Senate—6. Messrs. Ashley, Banks, Benbow, Byrd, Caffey, Cooper, Earnest, Glover, Holley, Hopkins, Lea, Moss, Wallace, Walton, Whitsitt, S. Williams and Woolsey, of the House—17: 6—23.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot the eleventh time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Kelly, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—8. Messrs. Adams, Allen, Beck, Boon, Coleman, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Hall, Henderson, Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister, McMullen, McCaskill, Phillips, Pool, Price, Shorter, Stone, Turner and G. W. Williams, of the House--28: 8—36.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Austin, Bennett, Bulger, Campbell, Cox, Critcher, Nath'l Davis, Gonder, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Reaves, Robinson, Rowe, Shelley, Staton, Stephens, Warren and Wilson, of the House—22 : 5—27.

Those who voted for Mr. Hutchinson are, Messrs. Bibb, Gunn, Jemison, Jones and Saunders, of the Senate—5. Messrs. Allen, Ashley, Banks, Benbow, Cooper, Earnest, Glover, Holley, Hopkins, Lea, Moss, Wallace, Walton, Whitsitt, P. Williams and Woolsey, of the House—16 : 5-21.

Those who voted for Mr. Benham are, Messrs. President, Baker, Cocke, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks and Stephenson, of the Senate—11. Messrs. Speaker, Armstrong, Bass, Booth, Bradford, Caffey, Carlisle, Clements, Freeman, Hendree, F. S. Jackson, Kavanaugh, Oates, Pettey, Prentice, Presley, Roper, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Watkins, Webb, S. Williams and Williamson, of the House—28 : 11—39.

Neither of the candidates having recieved a majority of all the votes given, the convention proceeded to ballot a twelfth time, Mr. Hutchinson being withdrawn.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Jones, Kelly, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—9. Messrs. Adams, Beck, Boon, Brown, Coleman, J. W. Davis, Nich. Davis, James, Gladney, Goldsby, N. S. Graham, Hall, Henderson, Hopkins, Howard, J. W. W. Jackson, Jones, Porter King, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Shorter, Stone, Turner, Whitsitt, G. W. Williams and P. Williams, of the House—31 : 9—40.

Those who voted for Mr. Benham are, Messrs. President, Baker, Bibb, Cocke, Fleming, Gunn, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson and Saunders, of the Senate—15. Messrs. Speaker, Armstrong, Ashley, Banks, Bass, Benbow, Booth, Bradford, Byrd, Caffey, Freeman, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, Lea, Moss, Oates, Pettey, Presley, Roper, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Watkins, Webb, S. Williams, Williamson and Woolsey, of the House—35 : 15—50.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allen, Allison, Austin, Bennett, Bulger, Campbell, Carlisle, Clements, Cooper, Cox, Nath. Davis, W. P. Davis, Gonder, W. C. Graham, M. A. King, Liddell, Majors, Moragne, Nicks, Prentice, Reaves, Robinson, Rowe, Shelley, Staton, Stephens, Warren and Wilson- 29 : 5—34.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a thirteenth time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, James, Jones, Kelly, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—9. Messrs. Adams, Beck, Boon, Brown, Bulger, Coleman, Cox, J. W. Davis, Nathaniel Davis, Nicholas Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Hall, Henderson, Hopkins, Howard, J. W. W. Jackson, P. King, McAllister, Manasco, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Shorter, Stone, Turner, Whitsitt, G. W. Williams and P. Williams, of the House—36 : 9—45.

Those who voted for Mr. Benham are, Messrs. President, Baker, Bibb, Cocke, Fleming, Gunn, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson and Saunders, of the Senate—15. Messrs. Speaker, Armstrong, Ashley, Banks, Bass, Benbow, Booth, Bradford, Byrd, Caffey, Carlisle, Clements, Critcher, Earnest, Freeman, Gonder, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, Lea, Moss, Oates, Pettey, Prentice, Presley, Roper, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Watkins, Webb, S. Williams, Williamson and Woolsey, of the House—42 : 15—57.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garrett, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allen, Allison, Austin, Bennett, Caffey, Cooper, M. A. King, Liddell, Majors, Moragne, Nicks, Rowe, Shelley, Staton, Stephens, Warren and Wilson, of the House—17 : 5—22.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a fourteenth time.

Those who voted for Mr. Clitherall are. Messrs. Aldridge, James, Jones, Kelly, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—9. Messrs. Adams, Beck, Bennett. Boon, Brown, Bulger. Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Gladney, Goldsby, N. S. Graham, Hall, Henderson, Hopkins, Howard, J. W. W. Jackson, Jones, Porter King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, Stone, Turner, Whitsitt, G. W. Williams and P. Williams, of the House 41 : 9—50.

Those who voted for Mr. Benham are, Messrs. President, Baker, Bibb, Cocke, Fleming, Gunn, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson and Saunders of the Senate—15. Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Bass, Benbow, Booth, Bradford, Boyd, Caffey, Carlisle, Clements, Critcher, Freeman, Gonder, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moss, Oates, Pettey, Prentice, Presley, Roper, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Watkins, Webb, S. Williams, Williamson and Woolsey, of the House—44: 15—59.

Those who voted for Mr. Higgins are, Messrs. Frazier, Garret, Heflin, Tarrant and Walker, of the Senate—5. Messrs. Allen, Austin, Cooper, Majors, Nicks, Shelley, Staton, Stephens, Warren and Wilson, of the House—10: 5—15.

Neither of the candidates having received a majority of the whole number of votes given, Mr. Nicholas Davis moved an adjournment until 12 o'clock, on to-morrow.

Mr. W. P. Davis demanded the yeas and nays, and the motion was lost. Yeas 15; nays 74.

Those who voted in the affirmative are, Messrs. Austin, Bennett, Cooper, Nathaniel Davis, W. P. Davis, Goldsby, N. S. Graham, Henderson, Jones, Porter King, McAllister, McMullen, Stephens, G. W. Williams, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Armstrong, Ashley, Banks, Beck, Benbow, Boon, Booth, Bradford, Brown, Byrd, Caffey, Campbell, Carlisle, Clements, Coleman, Cox, Critcher, J. W. Davis, Nich. Davis, Earnest, Freeman, Gladney, Gonder, W. C. Graham, Hall, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Majors, Manasco, Moragne, McCaskill, Moss, Nicks, Oates, Pettey, Phillips, Pool, Presley, Price, Reaves, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, S. Williams, Williamson and Woolsey.

The convention then proceeded to ballot a fifteenth time.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, Garrett, Heflin, James, Jones, Kelly, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—11. Messrs. Adams, Allen, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Hall, Henderson, Hopkins, Howard, J. W. W. Jackson, Jones, P. King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, Stone, Tarrant, Whitsitt, G. Williams and P. Williams, of the House—43: 11—54.

Those who voted for Mr. Benham are, Messrs. President, Baker, Bibb, Cocke, Fleming, Gunn, Johnson, Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson. Saunders and Tarrant, of the Senate—16. Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Bass, Benbow, Booth, Bradford, Byrd, Caffey, Carlisle, Clements, Critcher, Freeman, Gonder, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moss, Oates, Pettey, Presley, Roper, Shelley, John Smith, W. M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams. Williamson and Woolsey, of the House—45: 16—61.

Those who voted for Mr. Higgins are, Messrs. Frazier and Walker, of the Senate—2. Messrs. Austin, Cooper, Majors, Nicks, Stephens and Wilson, of the House—6: 2—8.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a sixteenth time, the name of Mr. Higgins being withdrawn.

Those who voted for Mr. Clitherall are, Messrs. Aldridge, Frazier, Garrett, Heflin, James, Jones, Kelly, Mathews, Pearson, Storrs, Toulmin, Walker and Winston, of the Senate—13. Messrs. Adams, Allen, Austin, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, Nicholas Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Hall, Henderson, Hopkins, Howard, J. W. W. Jackson, Jones, P. King, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, Staton, Turner, Whitsitt, G. W. Williams, P. Williams and Wilson, of the House—45: 13—58.

Those who voted for Mr. Benham are, Messrs. President, Baker, Bibb, Cocke, Fleming, Gunn, Johnson. Leslie, Malone, O'Neal, Perrin, Patton, Ricks, Stephenson, Saunders and Tarrant, of the Senate—16. Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Bass, Benbow, Booth, Bradford, Byrd, Caffey, Carlisle, Clements, Cooper, Critcher, Freeman, Gonder, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Majors, Moss, Oates, Pettey, Presley, Roper, Shelley, John Smith. W. M. Smith, Stephens, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams and Woolsey, of the House—48: 16—64.

Mr. Jemison, of the Senate, voted for Mr. Hutchinson, and Mr. Nicks, of the House, for Mr. Higgins.

Mr. Benham having received a majority of the whole number of votes given, was declared by the Speaker to have been duly and constitutionally elected Secretary of State for the time prescribed by law.

The convention then proceeded to the election of an Adjutant and Inspector General, James G. Carroll and J. J. Mickle being in nomination.

Those who voted for Mr. Carroll are, Messrs. President, Baker, Bibb, Cocke, Fleming, Gunn, Garrett, Jemison, Johnson, Malone, Mathews, Patton, O'Neal, Ricks, Stephenson, Saunders and Tarrant, of the Senate—17. Messrs. Adams, Allison, Armstrong, Banks, Bass, Beck, Benbow, Benham, Booth, Bradford, Byrd, Caffey, Carlisle, Clements, Cooper, Critcher, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Goldsby, Henderson, Hendree, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moragne, Moss, Nicks, Oates, Presley, Shelley, John Smith, Staton, Walker, Wallace, Walton, Watkins, Webb and S. Williams, of the House—43: 17—60.

Those who voted for Mr. Mickle are, Messrs. Aldridge, Frazier, James, Jones, Kelly, Leslie, Perrin, Whitsitt, Pearson, Storrs, Heflin, Toulmin, Walker and Winston, of the Senate—13. Messrs. Speaker, Allen, Ashley, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, J. W. Davis, Freeman, Gladney, Gonder, N. S. Graham, W. C. Graham, Hall, Henshaw, Holley, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Tarrant, Turner, Whitsitt, G. W. Williams, P. Williams, Williamson and Wilson, of the House—50: 13—63.

Mr. Mickle having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Adjutant and Inspector General for the term provided by law.

The Senate then withdrew and the House adjourned until to-morrow morning, at 10 o'clock.

December 15, 1851.

The House met pursuant to adjournment.

Mr. Brown moved to reconsider the vote by which the House yesterday laid on the table the bill to tax prosecutors with the costs of frivolous or malicious prosecutions.

Mr Snowden demanded the yeas and nays. Yeas 38; nays 43.

Upon motion of

Mr. Manasco, the bill to require the judge of probate and the commissioners of roads and revenue of the county of Walker to lay off said county into commissioners' districts was taken from the table and ordered to be engrossed for a third reading.

Mr. Clements offered the following resolution, which was adopted:

Resolved, That, with the concurrence of the Senate, the two Houses will meet in the hall of the House of Representatives on Wednesday, the 7th of January, for the purpose of electing a Quarter Master General for the State of Alabama.

The House concurred in the amendments of the Senate to the following bills from the House:

The bills:

To amend an act to incorporate the Marine Dock and Railway Company of Mobile, approved February 11, 1848:

For the relief of John Aday, of Lawrence county:

To divorce certain persons therein named, and for other purposes:

To divorce certain persons therein named.

The House concurred in all of the amendments of the Senate to the House bill to incorporate the Mobile Live Stock and General Insurance Company, except the last amendment to be numbered section seventeen.

Mr. Phillips moved to amend said amendment by substituting therefor the following:

" That in addition to the liability of said company in its corporate character, the stock holders shall be liable for the indebtedness of said company to the extent of the amount of the stock held by each in said company."

Said motion prevailed.

The House refused to concur in the amendments of the Senate to the bill to compensate the county treasurers of Limestone and Morgan for receiving and paying out the sixteenth section funds, which provided that the compensation should be paid out of the county treasurer's fund. and concurred in the amendment adding " Chambers " after " Morgan."

The House refused to concur in the amendment of the Senate to the bill to increase the pay of jailors.

Messrs. Nicks, Campbell and Earnest were appointed a committee of conference on the part of the House, to act with Messrs. Tarrant, Walker and Kelly, the committee on the part of the Senate, to consider the disagreement between the two Houses as to the amendment of the Senate to the House bill to authorise the town marshal of Talladega to execute process issued by justices of the peace in the limits of said county.

The House bill to establish jury trials in justices' courts in Choctaw and Washington, amended by the Senate, was postponed until the second Monday in January, on motion of

Mr. Jones, and made the special order for 12 M. on said day.

The bills from the Senate:

To provide a keeper for the State House at Montgomery:

To prevent the retailing of ardent spirits in the Fayetteville beat in the county of Fayette:

To authorise the comptroller of the State to issue his warrant on the treasurer for excess of taxes paid by James A. Chapman, a non resident tax payer:

Were severally read and ordered to a second reading.

The bill from the Senate to increase the number of judges on the supreme court bench, and for other purposes, was read the first and second times forthwith, the constitutional rule being suspended, and was on motion of Mr. Phillips, made the special order for Monday next, at 12 M.

The bill to make a donation of the State capitol at Tuscaloosa, and on the question. Shall the bill be ordered to a second reading?

Mr. Phillips demanded the yeas and nays, and the bill was so ordered. Yeas *55*; nays 32.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Ashley, Banks, Beck, Boon, Booth, Bulger, Byrd, Caffey, Campbell, Carlisle, Clements, Cooper, J. W. Davis, Nich. Davis, Earnest, Goldsby, N. S. Graham, Hendree, Henshaw, Hopkins, J. W. W. Jackson, Jones, Porter King, Lea, Liddell, Moragne, McCaskill, Moss, Oates, Pettey, Phillips, Price, Reaves, Robinson, Roper, Rowe, Shelley Shorter, John Smith, Sterrett, Stone, Tarrant, Turner, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Armstrong, Austin, Benbow, Bennett, Brown, Coleman, Cox, Critcher, Nathaniel Davis, W. P. Davis, Freeman, W. C. Graham, Henderson, Holley, F. S. Jackson, M. A. King, Majors, Manasco, McAllister, McMullen, Nicks, Pool, Prentice, W. M. Smith, Staton, Stephens, Snowden, Warren, G. W. Williams and Wilson.

DECEMBER 15, 1851.

The House met pursuant to adjournment.

Mr. McCaskill offered the following resolution, which was adopted:

Resolved, That a committee of five be appointed on the part of the House, to act with a like committee on the part of the Senate, to make the necessary arrangements for the inauguration of the Governor elect.

Messrs. McCaskill, Nicholas Davis, Oates, Moss and Bradford, compose said committee on the part of the House.

Mr. Shorter presented the account of James A. Hogan

Mr. Campbell, the account of William P. Terry, and

Mr. Nicks, the account of Andrew Lauson:

Which were severally referred to the Committee on Accounts.

Mr. Allen presented the petition of William Mallory, which was referred to the Committee on Ways and Means.

Mr. J. W. Davis presented the petition of Joseph Mitchell and others:

Mr. Carlisle, the petition of Samuel Devaughan and others, and

Mr. Moss, the petition of David Powell:

Which were severally referred to the Committee on Propositions and Grievances.

Mr. Woolsey presented the petition of J. Pickins and others, which was referred to a select committee composed of the representatives from the counties of Mobile and Tallapoosa.

Mr. Hopkins presented the petition of Thomas G. Cole, which was referred to the Committee on the Judiciary.

Bills were introduced by

Mr. Moragne, to appoint an additional surveyor in the county of Cherokee:

Mr. Warren, to establish a company beat in the county of Kalb:

Mr. Earnest, to authorise the guardian of the infant children of Peter Anderson, deceased, to invest the funds of his wards in slaves:

Mr. Tarrant, to change the line and attach a part of the county of Tuscaloosa to the county of Jefferson:

Mr. Williamson, for the relief of Mary C. Waters:

Mr. S. Williams, for the relief of Charles F. Lewis, sheriff of Macon county:

Mr. Glover, to incorporate the town of McKinley, in Marengo county:

Mr. Glover, to repeal in part an act entitled an act to amend the law in relation to the town of Demopolis, and to amend the laws of said town:

Mr. Glover, to incorporate the town of Jefferson, in Marengo county:

Mr. Brown, to regulate the payment of a certain sum of money in the county of Marion, and for other purposes:

Mr. Moss, for the relief of Phebe White:

Mr. Moss, for the relief of Samuel R. Loper:

Mr. Benbow, to amend the act incorporating the town of Orion, in Pike county:

Mr. Benbow, for the relief of Stephen Williamson:

Mr. Bulger, to amend the road law in Coosa county:

Mr. Oates, to repeal in part an act therein named, and for other purposes:

Mr. Jones, concerning registers in chancery:

Mr. Jones, in regard to school commissioners.

Said bills were severally read and ordered to a second reading.

A bill was introduced by Mr. S. Williams to change the time of electing tax assessors, and for other purposes, which was read, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

Mr. Campbell introduced a bill to amend the charter of the town of Somerville, which was read, and the constitutional rule being suspended, was read a second time forthwith and ordered to be engrossed for a third reading.

Mr. Phillips, from the Committee on Internal Improvement, made the following report. (See the printed report.)

The bill accompanying said report was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Phillips moved to postpone the further consideration of said bill until Wednesday, the 17th January next, and that it be made the special order for 11 o'clock, A. M., of said day.

Mr. Seaborn Williams moved its postponement until the second Monday in January, which motion prevailed.

Mr. Cooper moved that five hundred copies of the report and bill be ordered to be printed for the use of the House.

Mr. Wesley M. Smith moved one thousand copies, on which question

Mr. Nathaniel Davis demanded the yeas and nays, and the motion was lost. Yeas 29; nays 59.

Those who voted in the affirmative are, Messrs. Beck, Booth, Campbell, Clements, Nicholas Davis, Earnest, Goldsby, Henderson, Hendree, Henshaw, Howard, Jones, Kavanaugh, M. A. King, McCollum, McMullen, Pettey, Robinson, W. M. Smith, Staton, Stone, Turner, Walker, Walton, Whitsitt, P. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Allison, Armstrong, Ashley, Austin, Banks, Bass, Benham, Bennett, Boon, Bradford, Brown, Bussey, Byrd, Caffey, Carlisle, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, W. P. Davis, Freeman, Gladney, Glover, Holley, Hopkins, J. W. W. Jackson, Lea, Liddell, Majors, Manasco, Moagne, McAllister, McCaskill, Moss, Nicks, Oates, Pool, Prentice, Presley, Price, Roper, Rowe, Shorter, John Smith, Stephens, Sterrett, Snowden, Tarrant, Warren, Watkins, Webb, G. W. Williams, S. Williams and Wilson.

And the motion of Mr. Cooper prevailed.

Mr. Earnest, from the select committee to whom was referred the bill to arrange and fix the times of holding the chancery courts of the middle division, reported the same back.

Mr. Moss moved to amend said bill by adding to the middle division, the counties of Montgomery, Lowndes and Butler.

On motion of

Mr. Webb, said amendment was laid on the table and the bill was ordered to be engrossed for a third reading.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named, which was read and ordered to a second reading.

Mr. Walker, from the Committee on the Judiciary, reported back the bill to repeal an act therein named with an amendment to the caption thereof. The amendment was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, to whom was referred the resolution instructing them to enquire into the expediency of amending the law in relation to keeping State prisoners, reported adversely thereto. And the report was concurred in.

Mr. Walker, from the same committee, in referrence to a bill of enquiring thereon, reported that the judges of the supreme court are each entitled to an annual salary of $2,250.

The following bill from the Senate, transmitted by Mr. Kidd, to-wit, to empower Jesse Scruggs, a minor of the county of Clarke, to purchase real and personal property, was read three times under a suspension of the constitutional rule and passed.

The bill for the relief of David Campbell was, on motion of

Mr. Moss, taken from the general orders and read the second time.

Mr. Moss moved to amend by way of substitute, which was adopted.

Mr. Nathaniel Davis moved to amend by way of proviso, as follows:

Provided: Said Campbell, at the time of filing such assent, pay over all the funds in his hands to the proper officer.

The amendment was adopted, and the constitutional rule being suspended, the bill was read a third time forthwith and passed.

Mr. Lea, from the Committee on Ways and Means, reported back the bill for the relief of Thomas H. Nelms, tax collector of Perry county, and the bill was ordered to be engrossed for a third reading.

Mr. Lea, from the same committee, reported adversely to the bill to provide for the election of a county treasurer and tax assessor by the qualified voters of the county of DeKalb.

Mr. Nicks moved to lay the report and bill on the table.

Mr. Warren called for a division of the question, which was first taken on laying the report on the table and carried.

Pending the question on laying the bill on the table, the hour of 12 M. having arrived, the House proceeded to the consideration of the special order for said hour, it being the bill from the Senate to increase the number of judges of the supreme court bench, and for other purposes.

Mr. Nathaniel Davis moved to amend said bill as follows:

And be it further enacted, That the sum of five dollars be taxed in the bill of costs by the clerk of the supreme court on each suit which may be determined in said court, which shall be paid into the State treasury by said clerk when the same shall be collected, which shall be used in part payment of the salaries of the judges of said court.

Mr. Cooper moved to lay said amendment on the table, and demanded the yeas and nays thereon. The motion prevailed. Yeas 63; nays 15.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Benham, Bennett, Booth, Bussey, Byrd, Caffey, Campbell, Carlisle, Clements, Cooper, Cox, Critcher, J. W. Davis, Earnest, Glover, Goldsby, W. C. Graham, Henderson, Hendree, Henshaw, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Lea, Liddell, Majors, McAllister, McCaskill, Moss, Nicks, Oates, Pettey, Phillips, Pool, Presley, Robinson, Roper, John Smith, Staton, Stephens, Sterrett, Walker, Walton, Warren, Watkins, Webb, G. W. Williams, P. Williams, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Allen, Boon, Coleman, Nathaniel Davis, Nich. Davis, W. P. Davis, Freeman, Kavanaugh, Manasco, McMullen, Price, Reaves, Shorter, W. M. Smith and Wilson.

Mr. Byrd moved to amend the bill by striking out "four" with a view of inserting "five."

Mr. Nathaniel Davis called for a division of the question, which was first taken on striking out "four."

Mr. Nathaniel Davis demanded the yeas and nays thereon and the motion to strike out was lost. Yeas 34; nays 49.

Those who voted in the affirmative are, Messrs. Ashley, Benbow, Brown, Bulger, Byrd, Caffey, Carlisle, Clements, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Freeman, Goldsby, Henderson, Henshaw, Hopkins, Porter King, Liddell, Majors, McAllister, McCollum, Moss, Nicks, W. M. Smith, Staton, Turner, Walton, Warren, Webb, Williamson and Wilson.

Those who voted in the negative are, Messrs. Adams, Allen, Allison, Armstrong, Austin, Banks, Beck, Benham, Bennett, Boon, Booth, Bussey, Nich. Davis, W. P. Davis, Earnest. Glover, W. C. Graham, Hendree, Holley, Howard, Jones, Kavanaugh, Lea, Manasco, McCaskill, McMullen, Pettey, Phillips, Presley, Price, Reaves, Robinson, Roper, Shorter, John Smith, Stevens. Sterrett, Tarrant, Walker, Wallace. Watkins, Whitsitt, G. W. Williams, P. Williams, S. Williams and Woolsey.

Mr. Byrd moved to amend the bill as follows:

Be it further enacted, That the office of reporter of the supreme court be and is hereby abolished, and that hereafter the judges shall report the decisions of said court under the laws in force prior to the creation of the office of reporter.

Mr. Sterrett moved to lay said amendment on the table.

Mr. Boon demanded the yeas and nays thereon, and the motion prevailed. Yeas 51; nays 33.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Armstrong, Austin, Banks, Bass, Benham, Booth, Caffey, Clements, Critcher, Nich. Davis, W. P. Davis, Earnest, Freeman, Glover, Goldsby, Henshaw, Howard, Jones, Kavanaugh, P. King, Lea, Liddell, Moragne, McCaskill, Moss, Nicks, Oates, Phillips, Prentice, Price, Robinson, Roper, John Smith, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Ashley, Benbow, Boon, Brown, Bulger, Bussey, Byrd, Carlisle, Coleman, Cox, J. W. Davis, Nath. Davis, W. C. Graham, Henderson, Holley, Hopkins, J. W. W. Jackson, Majors, Manasco, McAllister, McCollum, McMullen, Pool, Presley, Reaves, Rowe, Shorter, W. M. Smith, Staton. Stephens, Turner, Warren and Wilson.

Mr. Byrd moved to lay the bill on the table.

Mr. Wesley M. Smith demanded the yeas and nays thereon, and the motion prevailed. Yeas 52; nays 36.

Those who voted in the affirmative are. Messrs. Allen, Ashley, Austin, Banks, Bass. Benbow, Bennett, Boon, Brown, Bulger, Byrd, Campbell. Carlisle, Clements, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Freeman Goldsby, Henderson, Holley, Hopkins, P. King, Lea, Majors, Manasco, Moragne, McAllister, McCollum, McMullen, Moss, Pool, Prentice, Presley, Price, Reaves, Robinson, Rowe, W. M. Smith, Staton, Stephens, Tarrant, Turner, Wallace, Walton, Warren, Webb, G. W. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Armstrong, Beck, Benbow, Booth, Bussey, Caffey, Cooper, Nich. Davis, W. P. Davis. Earnest, Glover, W. C. Graham, Hendree, Henshaw, Howard, Jones, M. A. King, Kavanaugh, Liddell, McCaskill, Nicks, Oates, Pettey, Phillips, Shorter, John Smith, Sterrett, Snowden, Walker, Watkins, Whitsitt, P. Williams, S. Williams and Woolsey.

Mr. Moss moved to adjourn until to-morrow morning, 10 o'clock.

Mr. Boon demanded the yeas and nays thereon and the motion prevailed. Yeas 48; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Armstrong, Ashley, Austin, Beck, Benham, Bennett, Caffey, Carlisle, Clements, Critcher, Nich. Davis, Earnest, Freeman, Glover, Goldsby, W. C. Graham, Henderson, Henshaw, Hopkins, Howard, Jones, Kavanaugh, P. King, Liddell, Majors, Moragne, McAllister, McCaskill, McCollum, Moss, Nicks, Oates, Pettey, Reaves, Robinson, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Walker, Watkins, G. W. Williams and P. Williams.

Those who voted in the negative are, Messrs. Allen, Banks, Benbow, Boon, Brown, Bulger, Bussey, Byrd, Campbell, Coleman, Cooper, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Holley, Lea, Manasco, McMullen, Phillips, Pool, Presley, Price, Roper, Rowe, Shorter, John Smith, Staton, Stephens, Warren, Webb, Whitsitt, Williamson and Wilson.

DECEMBER 16, 1851.

The House met pursuant to adjournment.

On motion of

Mr. M. A. King, ordered that the Committee on the new Code be authorised to employ a clerk for such time as they deem proper.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Mr. Oates moved to suspend the call of the counties to enable the Committee on Internal Improvement, and to continue the consideration of the joint resolutions approving the course of William R. King and Jere. Clemens in the Senate of the United States. Said motion prevailed.

Mr. Phillips, from the Committee on Internal Improvement, reported back the bill to authorise the corporate authorities of Mobile to levy a special tax, with an amendment thereto, which was concurred in. The constitutional rule being suspended, the bill was read the third time forthwith and passed.

Mr. Phillips, from the same committee, reported back the bill to incorporate the Coosa and Chattanooga River Railroad Company with an amendment, which was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Phillips, from the same committee, reported back the bill from the Senate to repeal in part an act to alter and amend the several laws for the government of the port and harbor of Mobile, reported the same back. The bill was ordered to a third reading.

Messrs. King and Clemens.

The House then resumed the joint resolutions approving the course of Wm. R. King and Jere. Clemens in the Senate of the United States. The question recurred on the adoption of the amendment of Mr. N. S. Graham to the amendment of Mr. Campbell heretofore offered.

The hour of 12 M. having arrived, the House proceeded to the consideration of the special order of said hour, it being the bill to facilitate the preparation of causes in the supreme court.

On motion of

Mr. M. A. King, the further consideration of the subject was postponed until Wednesday, the 7th of January next, and made the special order of the day for 11 A. M. of said day.

Mr. N. S. Graham, by leave, introduced a bill for the relief of Alexander Kelly, of Coosa county, which was read, and the constitutional rule being suspended, it was read a second time forthwith and referred to the Committee on Propositions and Grievances.

The House then suspended the consideration of the order of the day and resumed the consideration of the joint resolutions under discussion during the morning hour.

After some time spent therein,

Mr. Nicholas Davis moved an adjournment until 10 o'clock to-morrow morning.

Mr. Nathaniel Davis demanded the yeas and nays thereon and the motion was lost. Yeas 25; nays 52.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Bradford, Caffey, Carlisle, Cooper, Cox, Critcher, Freeman, Glover, Hendree, Holley, Hopkins, Howard, Jones, Kavanaugh, M. A. King, Liddell, Moss, Sterrett, Snowden, Turner, Webb, G. W. Williams, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Allen, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Boon, Booth, Brown, Bussey, Byrd, Campbell, Clements, J. W. Davis, Nath. Davis, W. P. Davis, Earnest, Goldsby, N. S. Graham, W. C. Graham, F. S. Jackson, J. W. W. Jackson, Lea, Majors, Moragne, McCaskill, McMullen, Nicks, Oates, Phillips, Pool, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton, Stephens, Stone, Tarrant, Walton, Warren, Watkins, Whitsitt, P. Williams, Williamson and Wilson.

Mr. Phillips moved to adjourn until 3 o'clock P. M. on this day, and that when the House meets at said hour it will proceed to the consideration of the messages from the Senate.

Mr. Oates called for a division of the question, which was first taken on the latter clause of said motion and lost.

Mr. Holley demanded the yeas and nays on adjournment, and the motion prevailed. Yeas 51; nays 29.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Beck, Benbow, Bennett, Boon, Booth, Bradford, Brown, Bussey, Byrd, Campbell, Clements, Cooper, Nicholas Davis, W. P. Davis, Earnest, Freeman, Goldsby, N. S. Graham, Howard, J. W. W. Jackson, Jones, Lea, Majors, Moragne, McCaskill, McMullen, Oates, Phillips, Pool, Prentice, Price, Reaves, Roper, Rowe, Shorter, John Smith, Staton, Stephenson, Sterrett, Stone, Tarrant, Warren, Whitsitt, P. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Allison, Ashley, Carlisle, Cox, Critcher, J. W. Davis, Glover, W. C. Graham, Hendree. Holley, Hopkins, F. S. Jackson, M. A. King, P. King, Liddell, Moss, Nicks, Pettey, Robinson, Shelley, W. M. Smith, Snowden, Turner, Walton, Watkins, Webb, G. W. Williams, S. Williams and Woolsey.

AFTERNOON SESSION, December 16, 1851.

Mr. ——— moved a call of the roll, when the following members answered to the call:

Messrs. Speaker, Allen. Armstrong, Banks, Bass, Boon, Booth, Bradford, Brown, Bussey, Caffey. Coleman, Cox, J. W. Davis, Nich. Davis, W P. Davis, Freeman. N. S. Graham, Henshaw, Holley, Howard, F. S. Jackson, Kavanaugh, Porter King, Lea, Liddell, Majors, Moragne, McMullen, Moss, Nicks, Oates, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton. Stephens, Tarrant, Walton, Warren, Webb, George W. Williams, Price Williams, S. Williams and Wilson.

Mr. Shorter offered the following resolution, which was adopted:

Resolved, That the hall of the House of Representatives be granted on Thursday evening next to a public meeting to consider and discuss the project of a great South-Western Agricultural and Mechanical Exhibition and Fair of all human industry upon a large and magnificent scale, to be held in May, 1853, in the city of New Orleans, and to be followed by annual Fairs in the city of Mobile and other Southern cities.

The engrossed bills:

To require the judge of probate and commissioners of roads and revenue of the county of Walker to lay off said county into commissioners' districts:

To change the time of holding the circuit court of Jefferson county, and for other purposes:

For the relief of Thomas H. Nelms, tax collector for the county of Perry:

To amend the charter of the town of Somerville:

To repeal an act approved 26th January, 1846, declaring certain persons liners between the counties of Fayette and Walker:

To arrange and fix the time when the chancery courts in the middle division shall be held:

Were severally read the third time and passed.

The House then proceeded to the consideration of the bill from the Senate to repeal in part and amend an act entitled an act to establish a criminal court in the city of Mobile, approved 3d February, 1846.

The question recurred upon the motion of

Mr. Howard, to reconsider the vote by which the House on the 5th instant refused to lay the amendment offered by Mr. Oates on the table. Said motion was lost.

The question then recurred on the adoption of the amendment offered by Mr. Oates. Pending which,

Mr. Coleman moved to adjourn till to-morrow morning, at 10 o'clock. Which motion was lost.

The question on the amendment offered by Mr. Oates still pending,

Mr. M. A. King moved to postpone the consideration of the same, as well as of the bill, till the first Monday in February.

Mr. George W. Williams demanded the yeas and nays thereon. Yeas 11; nays 65.

Those who voted in the affirmative are, Messrs. Ashley, Booth, Bradford, Carlisle, Glover, Kavanaugh, M. A. King, Phillips, John Smith, Staton and Walton—11.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Beck, Bennett, Brown, Bulger, Bussey, Byrd, Caffey, Campbell, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Freeman, N. S. Graham, Henshaw, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Jones, P. King, Lea, Liddell, Majors, Moragne, McAllister, McMullen, McCaskill, Pettey, Pool, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, W.M. Smith, Stephens, Sterrett, Snowden, Tarrant, Turner, Walker, Walton, Warren. Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams, Williamson, Wilson and Woolsey.

Mr. Moss then moved to adjourn until to-morrow morning 10 o'clock, which motion was lost.

The question then recurred upon the amendment offered by Mr. Oates, which was decided in the negative.. Yeas 41; nays 41.

Those who voted in the affirmtive are, Messrs. Ashley, Banks, Bass, Beck, Benbow, Bennett, Booth Bradford, Byrd, Carlisle, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover, Henshaw, Holley, F. S. Jackson, Kavanaugh, Lea, Liddell, Majors, Moss, Nicks, Pettey, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Armstrong, Austin, Boon, Brown, Bulger, Bussey, Caffey, Campbell, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, N. S. Graham, W. C. Graham, Howard, J W. W. Jackson, Jones, M. A King, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Tarrant, Turner, Whitsitt, G. W. Williams and Wilson.

Mr. Booth then moved to amend said bill by adding "the register in chancery for said county."

Mr. Wilson moved to lay said amendment on the table, which motion prevailed.

Mr. F. S. Jackson demanded the yeas and nays. Yeas 43: nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Austin, Beck, Boon, Bulger, Bussey, Byrd, Campbell, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis. N. S. Graham, W. C. Graham, Howard, J. W W. Jackson, Jones, M. A. King, Porter King, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Sterrett, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison, Ashley, Banks, Bass, Benbow, Bennett, Booth, Bradford, Brown, Caffey, Carlisle, Cooper, Critcher, Earnest, Freeman, Glover, Henshaw, Holley, F. S. Jackson, Kavanaugh, Lea, Liddell, Moss, Nicks, Pettey, Roper, Shelley, John Smith, Staton, Snowden, Walker, Wallace, Walton, Watkins, Webb, S. Williams, Williamson and Woolsey.

Mr. Byrd moved to amend by striking out 1852 with a view of inserting 1854.

Mr. Jones moved the previous question pending, when

Mr. Byrd moved to adjourn till to-morrow, at — o'clock, which motion was lost.

Mr. Glover moved to postpone the consideration of said bill till the fourth Monday in January, and that the same be made he special order for said day.

Mr. M. A. King moved to adjourn till 10 o'clock to-morrow, which motion was lost.

Mr. Glover, by leave, withdrew his motion to postpone, and

Mr. Phillips moved to postpone the consideration of said bill till the second Monday in January, which motion was carried.

And then the House adjourned till to-morrow morning, at 10 o'clock.

DECEMBER 17, 1851.

The House met pursuant to adjournment.

The Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Mr. Caffey moved to reconsider the vote by which the House on yesterday refused to adopt the amendment offered by Mr. Oates to the bill to repeal in part and amend an act entitled an act to establish a criminal court in the city of Mobile, approved February 3, 1846.

Mr. Oates moved to postpone the consideration of said motion until the second Monday in January.

Mr. Price Williams demanded the yeas and nays thereon, and the motion was lost. Yeas 37; nays 42.

Those who voted in the affirmative are Messrs. Bass, Beck, Benbow, Booth, Bradford, Caffey, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover, Holley, Kavanaugh, M. A. King, Lea, Liddell, Majors, Moss, Nicks, Oates, Pettey, Prentice, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Boon, Brown, Bussey, Byrd, Clements, Coleman, Cox, J. W. Davis, W. P. Davis, N. S. Graham, W. C. Graham, Henderson, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Whitsitt, G. W. Williams, P. Williams and Wilson.

The question then recurred upon the motion to reconsider

Mr. Oates moved to postpone the consideration of said motion till Monday next, at 12 M.

Mr. Price Williams demanded the yeas and nays thereon, and the motion was lost. Yeas 67; nays 44.

Those who voted in the affirmative are, Messrs. Bass, Beck, Benbow, Benham, Booth, Bradford, Byrd, Caffey, Cooper, Critcher, Nich. Davis, Freeman, Glover, Holley, Hopkins, Kavanaugh, M. A. King, Lea, Liddell, Majors, Moss, Nicks, Oates, Pettey, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Boon, Brown, Bulger, Bussey, Campbell, Clements, Coleman, Cox, J. W. Davis, W. P Davis, N. S. Graham, W. C. Graham, Henderson, Henshaw, Howard, J. W. W. Jackson, Jones, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson. Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Wallace, Whitsitt, G. W Williams, P. Williams and Wilson.

The question again recurred upon Mr. Caffey's motion to reconsider.

Mr. Oates demanded the yeas and nays, and the motion prevailed. Yeas 42 ; nays 40.

Those who voted in the affirmative are, Messrs. Bass, Banks, Beck, Benbow, Benham, Booth. Bradford, Byrd, Caffey. Carlisle, Cooper, Critcher. Nich. Davis, Earnest, Freeman. Glover, Henshaw, Holley, Hopkins, Kavanaugh, M. A. King, Lea. Liddell, Majors, Moss, Nicks, Oates, Pettey, Roper, Shelley, John Smith, Staton, Snowden, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Boon, Brown, Bulger. Bussey, Campbell, Clements, Cox, J. W. Davis, W. P. Davis N. S. Graham, W. C. Graham. Henderson, Howard, J. W. W. Jackson, Jones, Manasco. McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price. Reaves, Robinson, Rowe, Shorter. W. M. Smith, Stephens, Stone. Tarrant, Turner, Whitsitt. G. W. Williams, P. Williams and Wilson.

Mr. McCaskill, from the select committee to make arrangements for the inauguration of the Governor elect, made the following report, which was concurred in:

The joint committee raised for the purpose of making arrangements for the inauguration of the Governor elect, beg leave to report the following as the order of arrangement for that occasion.

That on Wednesday, the 17th instant, at 12 o'clock, M., the Senate be invited into the hall of Representatives to witness the inauguration of the Governor elect.

That at the same hour the Committee of Arrangement attend at the executive chamber to escort the Governor to the hall of representatives.

That a band of music be provided and placed in the gallery, and when the governor is announced at the door, a national air be played.

The Governor and chaplain, preceded by the Committee of Arrangement of both Houses, and followed by the State officers, will then enter the hall, the Governor and chaplain ascending the Speaker's desk.

The Order will then be as follows:

Prayer by the Chaplain.
Music by the Band.
Inaugural Address.
Oath of Office.
Music by the Band.

The Governor, escorted by the Committee of Arrangement of both Houses, retiring to the executive chamber.

[Signed.]
F. A. SAUNDERS,
L. JAMES,
W. P. LESLIE,
JOHNSON JONES,
} Committee on part of the Senate.
C. McCASKILL,
NICH. DAVIS, Jr.,
MOSS,
BRADFORD,
OATES,
} Committee on part of the House.

Mr. N. S. Graham presented the report of Professor M. Tuomey, on the improvement of the Coosa and Alabama rivers between Wetumpka and Montgomery, and also the petition of Aaron Ready and others, which were severally referred to a select committee composed of representatives from the counties of Coosa, Autauga, Talladega, Benton and St. Clair.

Mr. M. A. King presented a bill to compensate a certain person therein named, which was read, and the constitutional rule being suspended, was read, a second time and referred to the Committee on Accounts.

Mr. Critcher presented the petition of —— Haynes and others, which was referred to the Committee on Roads, Bridges and Ferries.

Bills were presented by:

Mr. Price Williams, to regulate the duties of justices of the peace and constables:

Mr. Price Williams, to incorporate the Mobile Temperance Hall Association:

Mr. Lea, to prevent willful evasions of the revenue laws of this State:

Mr. Rowe, to apportion representatives among the several counties of this State, and to lay off the same into senatorial districts:

Mr. Turner, to provide for the building of a poor house in the county of Choctaw.

Said bills were severally read and ordered to a second reading.

Mr. Moss introduced a bill to authorise the rebuilding of a court house in the county of Montgomery, and for other purposes, which was read and the constitutional rule being suspended, was read a second and third time and passed.

Mr. F. S. Jackson presented the petition of Absalom Jackson, which was referred to the Committee on Corporations.

Mr. Rowe presented the petition of J. G. Yarborough and others, which was referred to the Committee on Privileges and Elections.

Mr. Hopkins presented the petition of James Parker, which was referred to the Committee on Propositions and Grievances.

Mr. Hopkins presented the account of David M. George, which was referred to the Committee on Accounts.

Mr. Bulger presented the account of R. G. Walker:

Mr. Banks presented the account of Alfred Skelton:

Mr. Watkins presented the account of James M. Ligon: and

Mr. Wilson presented the account of Samuel Morrell:

Which were referred to the Committee on Accounts.

Mr. Manasco introduced a bill to authorise Elias Davis to build a mill on the Black Warrior River, in the county of Walker, which was read, and the constitutional rule being suspended, was read a second time and referred to the Committee on Propositions and Grievances.

Mr. Campbell introduced a bill to provide for the prompt payment of grand and petit jurors in the county of Morgan, which was read, and the constitutional rule being suspended, was read a second time and ordered to be engrossed for a third reading.

The following message was received from the Governor by Mr. Harrison, his private secretary:

Mr. Speaker: His Excellency the Governor has approved bills which originated in the House of Representatives of the following titles, to-wit:

An act to empower Jesse Scruggs, a minor, of the county of Clarke, to purchase real and personal property:

An act to authorise the building a court house in the county of Coffee:

An act to regulate the sale of spirituous liquors in the town of Elyton:

An act to divorce certain persons therein named:

An act to authorise James Coon, of Coffee county, to pay taxes in Coffee county for certain property in Covington county:

An act to regulate the pay of jurors in Autauga county.

The House resumed the consideration of the joint resolutions approving the course of William R. King and Jere. Clemens in the Senate of the United States. After some time spent in the discussion thereof, the House took an informal recess.

Inauguration of the Governor Elect.

The hour of 12 M. having arrived, the Senate by invitation appeared in the hall of the House.

The Hon. Henry W. Collier, the Governor elect for the State of Alabama, escorted by the Committee of Arrangement, also appeared in the hall of the House, and after delivering his inaugural address took the oath of office as prescribed by law.

The Governor and Senate withdrew, and the House adjourned until to-morrow morning, at 10 o'clock.

DECEMBER 18, 1851.

The House met pursuant to adjournment.

The engrossed bill to provide for the prompt payment of grand and petit jurors in the county of Morgan was read a third time and passed.

The engrossed bill to incorporate the Coosa and Chattanooga Railroad Company was read a third time and passed.

The bills:

To provide for the support of lunatic paupers in the county of Franklin:

To repeal an act therein named:

Defining the duties of justices of the peace in relation to patrols in the county of Chambers:

To attach certain citizens of Henry to the Abbeville beat:

In respect to the books, maps and field notes of the late surveyor general's office for the State of Alabama:

Were severally read and ordered to be engrossed for a third reading.

The bills:

To incorporate the town of Maysville, in the county of Madison:

To incorporate the Orrville Institute:

To amend an act to incorporate the Alabama and Mississippi Railroad Company:

To incorporate the preacher's aid society of the Methodist Episcopal Church South:

To incorporate the Brewersville Academy:

Were severally read the second time and referred to the Committee on Corporations.

The bills:

To compensate physicians in certain cases:

To repeal an act to prevent the sacrifice of real estate:

Relating to the appointment of guardians in certain cases:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill for the relief of Harrison F. Bizzle, was read the second time and referred to a select committee composed of the representatives from the counties of Henry and Coffee.

The bill to change the fees of the judge of probate in the county of Montgomery was read a second time and amended,

On motion of

Mr. Seaborn Williams, by extending its provisions to the county of Macon, and then referred to a select committee composed of the representatives from Montgomery and Macon.

The bill to incorporate the White Plume Riflemen was read the second time and referred to the Committee on the Military.

The bill for the relief of Isaac P. Foreman was read the second time and referred to the Committee on Divorce and Alimony.

The bill to compensate Sampson Clayton for certain services therein named was read the second time and referred to the Committee on Accounts.

The bill for the relief of James C. Jenkins, of Fayette county, was read the second time and referred to the Committee on Divorce and Alimony.

The bill to amend the laws in relation to overseers of roads was read the second time, and

On motion of

Mr. Nathaniel Davis, was laid on the table.

The bill to provide for the issuing of patents for certain lands therein named was read the second time and referred to the Committee on the Sixteenth Section Fund.

The bill to add an additional judge to the supreme court bench was read the second time.

Mr. Byrd moved to postpone the further consideration of said bill until the first Monday in February.

Mr. Moss demanded the yeas and nays thereon and the motion was lost. Yeas 34; nays 50.

Those who voted in the affirmative are, Messrs. Allen, Ashley, Banks, Bass, Benbow, Boon, Brown, Bulger, Byrd, Carlisle, Coleman, Cox, Critcher, Nath. Davis, Freeman, Goldsby, Henderson, Hendree, Holley, Porter King, Majors, Manasco, McAllister, McMullen, Pool, Presley, W. M. Smith, Staton, Stephens, Walton, Warren, Webb, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Armstrong, Austin, Beck, Bennett, Booth, Bradford, Bussey, Caffey, Cooper, Nich. Davis, Earnest, Glover, N. S. Graham, W. C. Graham, Henshaw, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones. Kavanaugh, M. A. King, Lea, Liddell, McCaskill, Moss, Nicks, Oates, Pettey, Phillips, Price, Reaves, Robinson, Roper, Rowe. Shelley, Shorter, John Smith, Sterrett, Snowden, Turner, Walker, Wallace, Watkins, Whitsitt, P. Williams, S. Williams and Woolsey.

Mr. Earnest moved to amend said bill as follows:

Provided, Said judgeship shall expire with the term for which said judge shall be elected.

Mr. Nathaniel Davis demanded the yeas and nays thereon, and the amendment was adopted. Yeas 62; nays 16.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Ashley, Austin, Banks, Beck, Benlow, Benham, Boon, Booth, Bulger, Bussey, Campbell, McCaskill, Coleman, Cooper, Critcher, Nich. Davis, W. P. Davis, Earnest, Freeman, N. S. Graham, W. C. Graham, Henderson, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Porter King, Lea, Liddell, Manasco, Moragne, McAllister, McCaskill, McMullen, Nicks, Pettey, Phillips, Price, Robinson, Roper, Rowe, Shelley, Shorter, John Smith. Sterrett, Staton, Snowden Tarrant, Walker, Wallace, Watkins, Walton, Warren, Whitsitt, P. Williams, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Bradford, Byrd, Caffey, Cox, Nath'l Davis, Glover, Moss, Oates, Reaves, W. M. Smith, Stephens, Turner, Webb, S. Williams and Williamson.

Mr. Seaborn Williams moved to amend said bill by way of substitute, which was, on motion of

Mr. McMullen, laid on the table.

On motion of

Mr. Nathaniel Davis, the bill was laid on the table and the bill from the Senate to increase the number of judges on the supreme court bench was taken therefrom.

Mr. Nathaniel Davis moved to amend said bill by substituting in lieu of the first section the following:

That hereafter the supreme court shall consist of five judges, who shall, after the June term, 1852, of said court, report their own decisions, and that after said term the office of reporter of said court be and the same is hereby abolished.

Mr. Wilson demanded the yeas and nays on the adoption of said amendment, and the amendment was adopted. Yeas 46; nays 43.

Those who voted in the affirmative are, Messrs. Allison, Armstrong, Beck, Benham, Booth, Bradford, Bulger, Bussey, Byrd, Caffey, Cooper, Cox, Nathaniel Davis, Nicholas Davis, Earnest, W. C. Graham, Hendree, Henshaw, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Liddell, McAllister, McCaskill, Moss, Nicks, Pettey, Phillips, Robinson, Rowe, Shelley, Shorter, Stone, Tarrant, Turner, Walker, Wallace. Watkins, Webb. P Williams and S. Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Austin, Banks, Bass, Benbow, Bennett, Boon, Campbell, Carlisle, Coleman. Critcher, W. P. Davis, Freeman, Glover, Goldsby, Gonder, N. S. Graham, Henderson, Holley, Jones, Lea, Majors, Manasco, McMullen, Oates, Pool, Presley, Price, Reaves, Roper. John Smith, W. M. Smith, Staton, Stephens, Sterrett. Snowden, Walton, Warren, Whitsitt. Williamson and Wilson.

Mr. Manasco moved to postpone the further consideration of said bill until the first Monday in February, and demanded the yeas and nays thereon. Said motion was lost. Yeas 20; nays 63.

Those who voted in the affirmative are, Messrs. Benbow, Brown, Byrd, Coleman, Critcher, Freeman, Gonder, Henderson, Hendree, Majors, Manasco, Oates, Presley, John Smith, W. M. Smith, Staton, Stephens, Warren, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benham, Bennett, Boon, Booth, Bradford, Bussey, Caffey, Campbell, Carlisle, Cooper, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Glover, Goldsby, W. C. Graham, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Lea, Liddell, McAllister, McMullen, Moss, Nicks, Pettey, Phillips, Pool, Price, Reaves, Robinson, Roper, Rowe, Shelley. Shorter, Sterrett, Snowden, Tarrant, Turner, Walker, Wallace, Walton. Watkins, Webb, Whitsitt and S. Williams.

On motion of

Mr. Phillips, said bill was amended by striking therefrom the second section.

Mr. Nathaniel Davis moved the previous question.

Mr. Oates demanded the yeas and nays thereon, and the call for the previous question was sustained. Yeas 62; nays 25.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Ashley, Bass, Beck, Benham, Bennett, Booth, Bradford, Bulger, Bussey, Byrd, Caffey, Campbell, Carlisle, Coleman, Cooper, Nathaniel Davis, Nich. Davis, Earnest, Freeman, Glover, Goldsby, N. S. Graham, W. C. Graham, Hendree, Henshaw, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Liddell, McAllister, McCaskill, Moss, Nicks, Pettey, Phillips, Presley, Price, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, Sterrett, Tarrant, Turner, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Austin, Banks, Benbow, Boon, Brown, Critcher, W. P. Davis, Gonder, Henderson, Holley, P. King, Majors, Manasco, McMullen, Oates, Pool, Reaves, W. M. Smith, Staton, Stephens, Snowden, Walton and Wilson.

On motion of

Mr. Manasco, the constitutional rule was suspended and the bill read the third time forthwith.

Mr. McMullen demanded the yeas and nays on the passage of the bill, and the bill passed. Yeas 46; nays 44.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Bass, Benham, Booth, Bradford, Bulger, Bussey, Caffey, Cooper, Nath. Davis, Nich. Davis, Earnest, Glover, N. S. Graham, W. C. Graham, Henshaw, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Liddell, McAllister, McCaskill, Moss, Nicks, Pettey, Phillips, Price, Robinson, Rowe, Shelley, Shorter, Sterrett, Stone, Tarrant, Turner, Walker, Watkins, Whitsitt, P. Williams and S. Williams—46.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Austin, Banks, Bass, Benbow, Benham, Bennett, Boon, Brown, Byrd, Campbell, Carlisle, Coleman, Critcher, W. P. Davis, Freeman, Goldsby, Gonder, Henderson, Hendree, Holley, P. King, Majors, Manasco, McMullen, Oates, Pool, Presley, Reaves, J. Smith, W. M. Smith, Staton, Stephens, Snowden, Wallace, Watson, Warren, Webb, Williamson and Wilson—44.

Mr. Price Williams moved to reconsider the vote just taken.

Mr. Byrd demanded the yeas and nays thereon, and the motion was lost. Yeas 44; nays 47.

Those who voted in the affirmative are, Messrs. Allen, Ashley, Austin. Banks, Bass. Benbow, Boon, Brown, Byrd, Caffey, Campbell, Carlisle, Coleman, Cox, Critcher, W. P. Davis, Freeman, Goldsby, Gonder, Hendree, Holley, P. King. Majors, Manasco, Moragne, McMullen, Oates, Pool, Presley, Roper, John Smith, W. M. Smith, Stephens, Snowden. Wallace, Walton, Warren, Webb, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Armstrong, Beck, Benham, Bennett, Bradford, Bulger, Bussey, Cooper, Nathaniel Davis, Nicholas Davis, Earnest, Glover,

N. S. Graham, W. C. Graham, Henshaw, Hopkins; Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Liddell, McAllister, McCaskill, Moss, Nicks, Pettey, Phillips, Price, Reaves, Robinson, Rowe. Shelley, Shorter, Sterrett, Stone, Tarrant, Turner, Walker, Watkins, Whitsitt, P. Williams and S. Williams.

Mr. Walton (by leave) offered the following resolution:

Resolved, That, with the concurrence of the Senate, the two Houses of the general assembly will adjourn on Wednesday next and stand adjourned until Monday, the 5th of January, 1852, at 10 o'clock, A. M.: *Provided*, That no *per diem* pay shall be allowed to members during the recess.

Mr. Shelley moved to lay said resolution on the table. Said motion was lost.

Mr. Price Williams moved to amend as follows:

Provided further, That the non-payment of *per diem* shall not apply to those members and officers remaining at the capitol.

Mr. Nicholas Davis moved to lay said resolution and amendment on the table.

Mr. Banks moved to postpone the further consideration thereof until the 24th inst.

Mr. Oates moved a postponement until the 4th Monday in January, and demanded the yeas and nays thereon, and the motion was lost. Yeas 44; nays 44.

Those who voted in the affirmative are, Messrs. Speaker, Allen. Armstrong. Austin, Banks, Benbow, Benham, Bradford, Brown. Campbell, Carlisle, Coleman, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Freeman, Hendree, Hopkins, F. S. Jackson. Kavanaugh, M. A. King, Liddell, Majors. Manasco, McCaskill, Moss, Nicks, Oates, Pettey, Presley. Price, Reaves, Shelley, W. M. Smith, Staton. Stephens, Snowden, Wallace, Warren, Watkins. Webb, Williamson and Wilson.

Those who voted in the negative are, Messrs. Allison, Bass, Beck, Boon. Booth, Brown, Bulger, Bussey. Byrd, Caffey, Cooper, Cox, Nich. Davis, Glover. Goldsby. Gonder, N. S. Graham, Henderson, Henshaw, Holley, Howard. Jones. Porter King, Lea, Moragne, McAllister, McMullen, Phillips, Pool. Robinson, Roper, Reaves, Shorter, John Smith, Sterrett, Stone, Tarrant, Turner, Walker, Walton. Whitsitt, Price Williams and Seaborn Williams.

The question then recurred on the motion of Mr. Banks.

Mr. Snowden demanded the yeas and nays thereon, and the motion was lost. Yeas 38; nays 47.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Benbow, Benham, Bradford, Campbell, Coleman, Cox, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Freeman, W. C. Graham, Holley, Hopkins, F. S Jackson, Kavanaugh, M. A. King, Majors, Moragne, McCaskill Moss, Presley, Roper, W. M. Smith, Staton, Stephens, Snowden, Wallace. Warren, Watkins, Webb and Wilson.

Those who voted in the negative are, Messrs. Allison, Bass, Beck, Boon, Booth, Brown, Bulger, Bussey, Byrd, Caffey, Carlisle, Cooper, Nich. Davis, Glover, Goldsby, Gonder, N. S. Graham, Henderson, Henshaw, Howard, J W. W. Jackson, Jones, P. King, Lea, Liddell, Manasco, McAllister, McMullen, Nicks, Oates, Phillips, Pool, Robinson, Rowe, Shelley, Shorter, John Smith, Sterrett, Stone, Tarrant, Turner, Walker, Walton, Whitsitt, P. Williams, S. Williams and Williamson.

The question recurred on the motion of Mr. Nicholas Davis.

Mr. John Smith demanded the yeas and nays thereon, and the motion prevailed. Yeas 50; nays 36.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Benham, Bennett, Bradford, Brown, Campbell, Coleman, Cox, Critcher, Nathaniel Davis, W. P. Davis, Earnest, Freeman, W. C. Graham, Hendree, Holley, Hopkins, F. S. Jackson, Jones, Kavanaugh, M. A. King, Liddell, Majors, Manasco, McCaskill, McMullen, Moss, Oates, Pettey, Price, Reaves, Rowe, Shelley, John Smith, W. M. Smith, Staton, Stephens, Snowden, Wallace, Warren, Watkins, Webb and Wilson.

Those who voted in the negative are, Messrs. Allison, Beck, Boon, Booth, Bulger, Bussey. Byrd, Caffey, Carlisle, Nich. Davis, Glover, Goldsby, Gonder, N. S. Graham, Henderson, Henshaw, Howard, J. W. W. Jackson, Porter King, Lea, Nicks, Phillips, Pool, Robinson, Roper, Shorter, Sterrett, Stone, Tarrant, Turner, Walker, Warren, Whitsitt, P. Williams, S. Williams and Williamson.

Mr. Bussey moved to adjourn until to-morrow morning, at 10 o'clock.

Mr. Brown demanded the yeas and nays thereon, and the motion was lost. Yeas 43; nays 43.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Bass, Benbow, Benham, Bennett, Boon, Bradford, Bussey, Caffey, Campbell, Coleman, Critcher, Nich. Davis, W. P. Davis, Freeman, Glover, N. S. Graham, Henderson, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Majors, McAllister, Moss, Roper, Staton, Snowden, Stone, Turner, Walker, Walton, Warren, P. Williams and Williamson.

Those who voted in the negative are, Messrs. Allen, Ashley,

Austin, Banks, Beck, Booth, Brown, Bulger, Byrd, Critcher, Cooper, Cox, Nath. Davis, Earnest, Goldsby, Gonder, P. King, Liddell, Manasco, McCaskill, McMullen, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Presley, Price, Reaves, Robinson, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Stephens, Sterrett, Tarrant, Watkins, Webb, Whitsitt, S. Williams and Wilson.

Mr. Cooper moved to reconsider the vote just taken.

Mr. John Smith demanded the yeas and nays, and the motion was lost. Yeas 29; nays 46.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Ashley, Armstrong, Bennett, Boon, Bradford, Carlisle, Cooper, Critcher, Nich. Davis, W. P. Davis, W. C. Graham, Henderson, Hendree, Henshaw, Hopkins, J. W. W. Jackson, M. A. King, McAllister, Pettey, Roper, Sterrett, Stone, Turner, Walker, Watkins and Walton.

Those who voted in the negative are, Messrs. Allen, Banks, Benbow, Booth, Brown, Bulger, Bussey, Byrd, Caffey, Cox, Nath. Davis, Earnest, Gonder, N. S. Graham, Holley, F. S. Graham, Jackson, P. King, Lea, Liddell, Majors, Manasco, McCaskill, McMullen, Moss, Nicks, Oates, Phillips, Pool, Presley, Price, Reaves, Robinson, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton, Stephens, Snowden, Tarrant, Warren, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. Lea moved to adjourn until to-morrow morning, at half-past nine o'clock.

Mr. Oates demanded the yeas and nays, and the motion prevailed. Yeas 47; nays 25.

Those who voted in the affirmative are, Messrs. Allen, Allison, Ashley, Austin, Beck, Boon, Bradford, Bulger, Caffey, Carlisle, Cox, Critcher, Gonder, N. S. Graham, Hendree, Henshaw, Hopkins, F. S. Jackson, J. W. W. Jackson, M. A. King, Lea, Liddell, Majors, Manasco, McAllister, McCaskill, McMullen, Oates, Pool, Reaves, Roper, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whisitt, S. Williams and Wilson.

Those who voted in the negative are, Messrs. Armstrong, Banks, Bennett, Brown, Byrd, Campbell, Cooper, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Holley, Howard, Porter King, Moss, Nicks, Pettey, Presley, Prentice, Robinson, Rowe, Shelley, John Smith, Snowden and Tarrant.

DECEMBER 19, 1851.

The House met pursuant to adjournment.

On motion of

Mr. Allen, the roll was called, when the following members answered to the call:

Messrs. Speaker, Allen, Armstrong, Banks, Bass, Boon, Caffey, Carlisle, Cooper, Cox, Critcher, Nath. Davis, Earnest, Glover, Gonder, N. S. Graham, Hendree, Hopkins, Howard, F. S. Jackson, Lea, Majors, McMullen, Pettey. Phillips, Pool, Reaves, Rowe, John Smith, Stevens, Tarrant, Warren, Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, Williamson, Woolsey and Wilson.

Leave of absence was granted to Messrs. J. W. Davis, Holley, Bulger, Carlisle, Roper, G. W. Williams, Reaves, Shorter, Glover, Cooper, McAllister, Whitsitt, Woolsey, Stone, Tarrant, Porter King, Bussey, Bass, Presley, Henderson, Jones, Goldsby, Turner, Ashley and Byrd.

Mr. W. M. Smith moved to suspend the call of the counties to enable him to introduce the following resolution:

Resolved, That when this House adjourns on Wednesday, the 24th, it will adjourn to meet on Monday, the 29th instant, at 10 o'clock.

Mr. Nath. Davis demanded the yeas and nays, and the motion prevailed.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Ba s, Beck, Benbow, Bulger, Bussey, Cox, Critcher, Glover, Gonder, N. S. Graham, Hopkins, Howard, F. S. Jackson, Jones, Kavanaugh, Porter King, Lea, Liddell, McCaskill, McMullen, Nicks, Oates, Pettey, Phillips, Pool, Reaves, Rowe, John Smith, W. M. Smith, Sterrett, Walker, Watkins, Webb, G. W. Williams, P. Williams, S. Williams and Woolsey.

Those voting in the negative are, Messrs Allen, Armstrong, Banks, Boon, Brown, Byrd, Caffey, Nath. Davis, Freeman, M.A. King, Majors, Manasco, Moss, Shelley, Staton, Snowden, Tarrant, Turner, Warren and Wilson.

The question then recurred upon the adoption of the resolution.

Mr. Campbell moved to amend by striking out the "24th" and inserting "20th," and striking out "29th" and inserting "5th January."

Mr. W. M. Smith moved to lay the amendment on the table.

Mr. Nathaniel Davis moved to lay the resolution on the table.

Mr. W. M. Smith called for a division of the question, which was taken first on the motion to lay the amendment on the table and carried; second, on the motion to lay the resolution on the table.

Mr. Nathaniel Davis demanded the yeas and nays.

Mr. Nathaniel Davis asked leave to withdraw the motion to lay the resolution on the table.

Mr. Speaker decided that a part of the motion having been put under a division of the question, it was not in order to withdraw the motion. From which decision,

Mr. Nathaniel Davis appealed, and the question, Shall the decision of the chair stand as the decision of the House? was decided in the affirmative.

Mr. Coleman moved to indefinitely postpone the resolution and amendment.

Mr. Bulger called for the previous question, which was sustained.

The question recurred on the adoption of the resolution.

Mr. Manasco demanded the yeas and nays. Yeas 39; nays 36.

Those who voted in the affirmative are, Messrs. Speaker, Bass, Beck, Benbow, Bulger, Bussey, Byrd, Caffey, Cooper, Earnest, Freeman, Glover, Gouder, Henshaw, Howard, F. S. Jackson, J. W. W. Jackson, P. King, Lea, McCaskill, Pettey, Phillips, Pool, Robinson, Roper, Shorter, John Smith, W. M. Smith, Sterrett, Stone, Turner, Walker, Walton, Watkins, Whitsitt, George W. Williams, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Armstrong, Ashley, Banks, Boon, Brown, Campbell, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, N. S. Graham, W. C. Graham, Hopkins, Kavanaugh, M. A King, Liddell, Majors, Manasco, McMullen, Nicks, Presley, Price, Rowe, Shelley, Staton, Stephens, Snowden, Wallace, Warren, Webb and Wilson.

So the resolution was adopted.

Mr. Allison presented the account of Thomas J. Smith, which was referred to the [illegible].

Bills were introduced, viz:

Mr. N. S. Graham, for the relief of John Davis:

Mr. Tarrant, [illegible] the eighty-eighth regiment [illegible]:

Mr. Tarrant, [illegible] Academy, in Jefferson county:

Mr. S. [illegible] on the Montgomery and [illegible] for other purposes:

And were [illegible] reading.

Mr. Phillips [illegible] Mobile Bank, [illegible] suspended, was [illegible] tee on Ways and [illegible]

Mr. Coleman, [illegible] vances, [illegible]:

For the relief of Zilpha F. Rogers, of Lauderdale county:

For the relief of John T. Rather and Jonathan Orr:

To constitute Samuel F. Perkins a liner, &c.:

For the relief of Wm. K. Paulding, of Marengo county:

For the relief of Henry Frawn:

And by Mr. Woolsey, for the relief of David Powell:

Which were severally read and ordered to a second reading.

Mr. Goldsby, from the Committee on Propositions and Grievances, reported adversely to the petition of R. L. Boyd, which was concurred in.

Mr. Goldsby, from the same committee, reported adversely to the account of Wm. A. Mitchell, which was concurred in, and the account was withdrawn by Mr. Rowe.

Mr. Goldsby, from the same committee. reported adversely to the bill for the relief of Alexander Kelly, and, on motion of

Mr. Goldsby, the report was laid on the table and the bill ordered to be engrossed for a third reading.

Mr. Jones offered the following resolution:

Resolved, That no vote be taken on the bill from the Senate providing for the election of the United States Senators, or on the joint resolution from the Senate in relation to slavery and the compromise measures, until the fifth of January next, at the hour of 11 o'clock A. M.; and that they be made the special order for said day and until disposed of.

Mr. Moss moved to amend by striking out all that relates to the Senate bill for the election of a United States Senator.

Mr. Nath. Davis moved to lay the resolution on the table, which was lost.

The question then recurred upon the motion offered by Mr. Moss.

Mr. M. A. King demanded the yeas and nays. Yeas 43: nays 47.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Banks, Bass, Benbow, Benham, Booth, Bradford, Byrd, Caffey, Carlisle, Cooper, Critcher, Nath. Davis, Earnest, Freeman, Gonder, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Staton, Snowden. Wallace, Walton, Walker, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin, Beck, Bennett, Boon, Brown, Bulger, Bussey, Campbell, Coleman, Cox, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henderson, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Walker, Whitsitt, G. W. Williams, P. Williams and Wilson.

Mr. Walker moved to amend the resolution by inserting the words "on the final passage of the."

Mr. Cooper moved to postpone the consideration of the resolution until the first Monday in January, which motion was carried.

The bills from the Senate:

To authorise J. J. Stewart, guardian of W. Allen, to invest a certain sum of money in negro property for the use of said ward:

To authorise Eliza Allen, guardian of Wade H. Allen, to invest a certain sum of money in negro property for the use of said ward:

To legalise a certain marriage therein named, and for other purposes:

Were severally taken from the messages and read, and the constitutional rule being suspended, were read a second and third time forthwith and passed.

Mr. Lea, from the Committee on Ways and Means, reported a bill for the relief of Wm. B. Crews, of Barbour county, which was read and ordered to a second reading.

Mr. Lea, from the same committee, to whom was referred the bill to prevent negroes from trading, and for other purposes, reported a substitute therefor, which was adopted, and

On motion of

Mr. M. A. King, the further consideration of said bill was postponed until the 21st of January, and made the special order for the hour of 12 o'clock of that day, and one hundred and thirty-three copies ordered to be printed for the use of the House.

Mr. Price Williams reported a joint memorial to the Congress of the United States to dispose of certain lands therein named, which was received and adopted.

The bill to authorise the administrator of Elizabeth T. Lindsey, late of Tallapoosa county, deceased, to sell certain real estate of his intestate, &c., was read a second time and ordered to be engrossed for a third reading.

A message was received from the Governor informing the House of the amounts of the two and three per cent. funds, which, together with certain papers therewith transmitted, was referred to the Committee on Internal Improvement.

Mr. Wallace, by leave, introduced a bill to appoint a receiver for the two and three per cent. funds, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on the Judiciary.

Mr. W. P. Davis, from the Committee on the Judiciary, reported adversely to the bill to prevent white persons from intermarrying with the African race, in which report the House refused to concur.

Mr. Earnest moved to amend by inserting the words "in the fourth degree," before the word "consanguinity." Pending which,

Mr. Webb moved to postpone the consideration of said bill, to enable him to offer the following resolution:

Resolved, That the clerk of the House be authorised to employ one assistant to aid in keeping the journal of the House from and after the 20th inst. at a *per diem* pay not to exceed five dollars.

Mr. Wilson moved to amend by inserting "four dollars."

Mr. Webb's proposition was "five dollars."

Mr. Nicks moved to amend by striking out "that the clerk of the House be authorised to employ," and inserting "that the House elect," which motion was lost.

Mr. Bulger moved to amend by striking out "20th" and inserting "29th," which motion was lost, and the resolution was adopted.

And then the House adjourned until to-morrow, at 10 o'clock.

DECEMBER 20, 1851.

The House met pursuant to adjournment.

Leave of absence was granted to Messrs. Pool, Boon, Booth, M. [illegible] and Sterrett.

Bills were introduced by:

[illegible] system to the vote of the people.

[illegible] to incorporate the town of Her[illegible]

[illegible] the town of [illegible]

[illegible] authority [illegible] ingston:

[illegible] of a certain person therein

[illegible] red to a second [illegible]

[illegible] ll to make [illegible]

[illegible] f Franklin [illegible]

[illegible] being suspended, [illegible]

[illegible] assed for [illegible]

[illegible] tion of the [illegible]

Bellefonte corporation, which was referred to the Committee on Roads, Bridges and Ferries.

The question then recurred on the motion heretofore made, to lay the bill to provide for the election of a county treasurer and tax assessor by the qualified voters in the county of DeKalb upon the table. Said motion was lost.

Mr. Nathaniel Davis moved to postpone the consideration of said bill till the second Monday in January, which motion was carried.

Mr. F. S. Jackson presented the account of A. P. Pfister, which was referred to the Committee on Accounts.

The question then recurred on the motion made by

Mr. Earnest, to amend the bill to prohibit the intermarriage of white persons with persons descended from the African race.

On motion of

Mr. Byrd, the consideration of said bill was postponed till the second Monday in January and made the special order for the hour of 11 o'clock of that day.

Mr. Walker, from the Committee on the Judiciary, reported a bill for the relief of Thomas G. Cole, which was read and ordered to a second reading.

Mr. Lea, from the Committee on Ways and Means, reported back the bill to extend the charter of the bank of Mobile with the following amendment, by way of *proviso*, to be added to the first section :

Provided, That the said bank shall in no case charge more than six per cent. per annum on its loans or discounts, except in cases of settlement made to secure bad or doubtful debts.

Mr. Cox moved to amend said proposed amendment by striking out "except in cases of settlement made to secure bad or doubtful debts."

Mr. Cox demanded the yeas and nays thereon, and his motion was lost. Yeas 12 ; nays 48.

Those who voted in the affirmative are, Messrs. Benbow, Boon. Byrd, Campbell, Cox, Freeman, Manasco, Nicks, Shorter, Stephens, Sterrett and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Ashley, Austin, Banks, Bass, Beck, Benham, Bradford, Caffey, Coleman, Critcher, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Goldsby, Gonder, F. S. Jackson, Howard, J. W. W. Jackson, Jones, Kavanaugh, Lea, Majors, McMullen, Moss, Oates, Pettey, Phillips, Pool, Rowe, Shelley, John Smith, W. M. Smith, Staton, Snowden, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, G. W. Williams, Williams, Williamson and Woolsey.

Mr. Nath. Davis moved to amend as follows:

And be it further provided, That the said banks shall not be allowed to collect more than six per cent. on any judgment obtained in favor of said banks, which motion was lost, and the amendment proposed by the committee was adopted.

The question then recurred upon ordering said bill to a third reading.

Mr. Nathaniel Davis demanded the yeas and nays; pending which,

Mr. Manasco moved to postpone the consideration of said bill until the second Tuesday in January, which was carried, and said bill was made the special order for the hour of 12 M. of said day.

The Senate bill to authorise the Governor to furnish arms to the Tuskegee Classical and Scientific Institute in Macon county,

Mr. Whitsitt moved to amend by striking out the words "Military Academy" and inserting the "West Alabama Institute," which was adopted.

Mr. Beck moved to amend by adding a fourth section, authorising the quarter master general to deliver to the trustees of the Wilcox Male Institute one hundred muskets, ten swords and belts, and two bronzed field pieces, adpated to the use of the pupils of said institute, which was adopted.

Said bill was referred to the Committee on the Military.

Mr. Nathaniel Davis, from the Committee on Ways and Means, reported a substitute for the bill to authorise the comptroller to correct errors in the settlement of accounts, which was read, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

The House then proceeded to the consideration of the orders of the day.

The engrossed bill for the relief of Alexander Kelly was read a third time and passed.

The engrossed bill to authorise the administrator of Elizabeth Lindsey, late of Tallapoosa county, deceased, to sell certain real estate of his intestate, &c., was read a third time and passed.

Mr. F. S. Jackson demanded the yeas and nays on the passage thereof. Yeas 53; nays 6.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Benham, Bradford, Brown, Byrd, Caffey, Campbell, Coleman, Cox, Nathaniel Davis, Earnest, N. S. Graham, J. W. W. Jackson, Lea, Majors, Manasco, McCaskill, McMullen, Moss, Oates, Pettey, Phillips, Pool, Robinson, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Whitsitt, P. Williams, Williamson, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Bennett, Gonder, Howard, F. S. Jackson, Jones and Nicks.

A message was received from the Governor by Mr. Harrison, his private secretary, as follows:

Mr. Speaker: His Excellency the Governor has approved bills which originated in the House of Representatives of the following titles, to-wit:

An act to authorise Edwin Glover to change a road therein named:

An act to amend an act entitled an act to provide for the paying the grand and petit jurors in the county of Coffee, approved 12th December, 1849:

An act to change the name of the Montgomery Manufacturing Company, and to increase the capital stock of the same:

An act to authorise bailiffs' tickets and jury certificates to be received in payment of county taxes in Covington county:

An act to alter and amend an act, approved February 13, 1850, incorporating the Mobile plank or shellroad company:

An act in relation to the commissioners of roads and revenue for Talladega county:

An act to authorise the corporate authorities of Mobile to levy a special tax.

Mr. Nicks moved to adjourn till Monday morning, at ten o'clock, which motion was lost.

Mr. Hall moved to suspend the orders of the day for the purpose of taking up the apportionment bill introduced by Mr. Rowe, with a view to a reference to the Committee on Apportionment.

Mr. F. S. Jackson and Mr. Gonder moved for leave to introduce bills. Said motions were lost.

Mr. Shorter moved to adjourn until Monday morning, at 10 o'clock.

Mr. F. S. Jackson demanded the yeas and nays. Yeas 42; nays 22.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Armstrong, Ashley, Austin, Bass, Beck, Benham, Bennett, Bradford, Caffey, Coleman, Cox, Critcher, Earnest, Freeman, Goldsby, N. S. Graham, Howard, J. W. W. Jackson, Jones, Kavanaugh, Lea, Majors, Manasco, McCaskill, McMullen, Moss, Oates, Pettey, Shorter, Staton, Stephens, Sterrett, Snowden, Walker, Walton, Warren, Watkins, Webb, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Allison, Banks, Benbow, Brown, Byrd, Campbell, Nath. Davis, Gonder, F. S. Jackson, Nicks, Phillips, Pool, Robinson, Rowe, Shelley, John Smith, W. M. Smith, Tarrant, Wallace, Whitsitt and Williams.

MONDAY, December 22, 1851.

The House met pursuant to adjournment.

On motion, the roll was called, and the following members answered to the call:

Messrs. Speaker, Adams, Allen, Armstrong, Austin, Banks, Bass, Benbow, Bennett, Brown, Caffey, Campbell, Coleman, Cox, Critcher, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, N. S. Graham, W. C. Graham, Howard, F. S. Jackson, Kavanaugh, Majors, Manasco, McCaskill, McMullen, Moss, Nicks, Oates, Pettey, Robinson, Rowe, Shelley, John Smith, W. M. Smith, Staton, Stephens, Snowden, Walker, Wallace, Walton, Warren, Watkins Webb, P. Williams, S. Williams, Wilson, Williamson and Woolsey.

Leave of absence was granted to Messrs. Webb, Walker, Freeman, John Smith and Oates.

Mr. Nicholas Davis moved to adjourn until 10 o'clock to-morrow.

Mr. P. Williams demanded the yeas and nays, and the motion was lost. Yeas 18; nays 31.

Those who voted in the affirmative are, Messrs. Adams, Armstrong, Bass, Bennett, Caffey, Critcher, Nathaniel Davis, Nich. Davis, W. P. Davis, N. S. Graham, Howard, F. S. Jackson, Oates, Pettey, Robinson, Walker, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Austin, Banks, Benbow, Brown, Campbell, Coleman, Cox, Earnest, Kavanaugh, Majors, Manasco, McCaskill, McMullen, Moss, Nicks, Rowe, Shelley, John Smith, W. M. Smith, Staton, Stephens, Snowden, Wallace, Walton, Warren, Webb, P. Williams, S. Williams, Wilson and Woolsey.

On motion of

Mr. Webb, there being no quorum, the House adjourned until 12 o'clock to-morrow.

TUESDAY, December 23, 1851.

The House met pursuant to adjournment.

On motion, the roll was called, and the following members answered to the call:

Messrs. Speaker, Adams, Armstrong, Austin, Banks, Bradford, Brown, Campbell, Coleman, Cox, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Gladney, W. C. Graham, Hall, F. S. Jackson, Kavanaugh, Majors, Manasco, McCaskill, McMullen, Oates, Pettey, Shelley, John Smith, W. M. Smith, Staton, Stephens, Snowden, Walker, Warren, Webb, P. Williams, Williamson and Woolsey.

On motion of

Mr. Oates, there being no quorum, the House adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, December 24, 1851.

The House met pursuant to adjournment.

Mr. Speaker called the House to order, and there being no quorum present, the House adjourned until 10 o'clock on Monday morning next, in pursuance of the resolution previously adopted.

MONDAY, December 29, 1851.

The House met pursuant to adjournment.

On motion, the roll was called, and the following members answered to the call:

Messrs. Speaker, Allen, Armstrong, Austin, Banks, Bennett, Bradford, Brown, Bulger, Campbell, Coleman, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Gladney, W. C. Graham, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Majors, Manasco, McCaskill, McMullen, Moss, Nicks, Oates, Pettey, Price, Robinson, Rowe, Shelley, W M. Smith, Staton, Stephens, Snowden, Walker, Wallace, Warren, Watkins, P. Williams and Wilson.

And there being no quorum present, the House then adjourned until to-morrow morning, at 10 o'clock.

DECEMBER 30, 1851.

The House met pursuant to adjournment.

On motion, the roll was called, and the following members answered to the call:

Messrs. Speaker, Allen, Armstrong, Austin, Banks, Benbow, Bennett, Bradford, Brown, Bulger, Caffey, Campbell, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, W C. Graham, Hall, Holley, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Lea, Majors, Manasco, McCaskill, McMullen, Moss, Nicks, Pettey, Presley, Price, Reaves, Robinson, Rowe, Shelley, John Smith, W. M Smith, Staton, Stephens, Snowden, Walker, Wallace, Warren, Watkins, P. Williams and Wilson.

Mr. Speaker laid before the House records of divorce, which were referred to the Committee on Divorce and Alimony.

Mr. J. W. Davis presented the petition of Y. G. Goodwin *et al.*, which was referred to the Committee on Privileges and Elections.

Mr. J. W. Davis presented the account of Robert Parker, which was referred to the Committee on Accounts.

Bills were introduced by:

Mr. McMullen, to repeal a portion of an act therein named, and for other purposes.

Mr. Holley, to amend and extend an act, approved January 27th, 1845, authorising Edward Wiggins to erect a toll bridge over Choctawhatchee river, in Coffee county, at Geneva:

Mr. Coleman, for the relief of W. W. Smith, of Fayette county:

Mr. Wilson, to change the name of certain persons therein named, and for other purposes:

Mr. Oates, to repeal an act therein named:

Mr. Campbell, to create a clerkship in the comptroller's office:

Mr. Price Williams, to amend the law regulating the Mobile Water Works:

Mr. F. S. Jackson, to establish a certain road therein named:

Mr. Lea, to repeal in part an act providing for the more effectual prosecution of persons trading illegally with slaves, approved February 7, 1850:

Mr. Bulger, for the relief of Wm. Duboise and others:

Mr. Bulger, for the relief of Mark Boulware:

Mr. Wallace, to alter and amend the law in relation to the taxation of costs in the supreme court:

Mr. Manasco, to establish justices' courts in the county of Hancock, and to regulate the proceedings therein:

Mr. Manasco, to require the circuit clerk and sheriff to receive county claims in payment of fines and forfeitures in the county of Walker.

Said bills were severally read and ordered to a second reading.

Mr. Warren presented the petition of R. Estes and others, and

Mr. Moss, the petition of J. W. Hughes and others:

Which were severally referred to the Committee on Propositions and Grievances.

Mr. Watkins introduced a bill to authorise the Canton, Aberdeen and Tuscumbia Railroad Company to extend their railroad into the State of Alabama, and for other purposes, which was read, and the constitutional rule being suspended, was read a second time and referred to the Committee on Internal Improvement.

Mr. Earnest introduced a bill to change the time of the meeting of the legislature of the State of Alabama, which was read and

Mr. W. M. Smith moved to postpone the consideration thereof till the 4th Monday in January, and make it the special order of the hour of 11 o'clock of said day, which motion was lost.

Mr. M. A. King moved to lay the bill upon the table.

Mr. Allen demanded the yeas and nays, and the motion prevailed. Yeas 32; nays 26.

Those who voted in the affirmative are, Messrs. Armstrong, Ashley, Austin, Benbow, Bennett, Booth, Bradford, Bulger, Cox, Critcher, J. W. Davis, Nich. Davis, Freeman, Gladney, W. C. Graham, Hall, Holley, F. S. Jackson, M. A. King, Majors, Manasco, McCaskill, Oates, Price, Reaves, Robinson, Rowe, Shelley, W. M. Smith, Staton, Stephens and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Banks, Brown, Caffey, Campbell, Nath. Davis, W. P. Davis, Earnest, Howard, Kavanaugh, Porter King, Lea, McMullen, Moss, Nicks, Pettey, Prentice, John Smith, Snowden, Walker, Wallace, Warren, Watkins, P. Williams and Williamson.

Mr. Walker introduced a bill to authorise and require the commissioners' court of roads and revenue of Lauderdale county to submit to the voters of said county a certain proposition therein named, and for other purposes. Said bill was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Internal Improvement.

Mr. Speaker (Mr. Nath. Davis being in the chair) introduced a bill to amend the charter of the town of Decatur, in the county of Morgan, and for other purposes. Said bill was read, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

Mr. Campbell introduced a bill supplementary to an act to locate land for valueless sixteenth sections, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on the Sixteenth Section Fund, with instructions to have printed one hundred and thirty-three copies thereof for the use of the two Houses.

Mr. F. S. Jackson presented the account or S. R. Hereford, which was referred to the Committee on Accounts.

Mr. Gladney presented the petition of W. M. Gilkey and others, which was referred to the Committee on County Boundaries.

Mr. Rowe introduced a bill to incorporate the Dadeville Masonic Female Seminary, which was read, and the constitutional rule being suspended, was read a second time and ordered to be engrossed for a third reading.

The bill from the Senate for the relief of Margaret Boyle was, on motion of

Mr. Moss, taken from the messages, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

The bill to apportion the representatives among the several counties of the State and to lay off the same into senatorial districts was, on motion of

Mr. Rowe, taken from the order and read a second time and referred to the Select Committee on State Apportionment.

Mr. Armstrong, from the Committee on the Judiciary, reported adversely to the bill for the relief of Jason Nobles, and on motion of

Mr. Snowden, said bill and report were laid on the table.

Mr. Armstrong, from the same committee, reported adversely to the bill to prevent insubordination among slaves, and for other purposes.

On motion of

Mr. Sterrett, the report and bill were laid on the table.

Mr. Bulger, from the Committee on the Military, reported back the bill to incorporate the White Plume Riflemen, which was ordered to be engrossed for a third reading.

Mr. Rowe, from the Committee on County Boundaries, reported a bill to attach a portion of the county of Pickens to the county of Greene. And

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named.

Said bills were severally read and ordered to a second reading.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported back the bill from the Senate to define more fully the duties of the commissioners of the turnpike road in Lawrence county, granted to John Moore and D. G. Ligon by charter from the legislature of this State, approved February 3d, 1846. Said bill was ordered to a third reading.

Mr. Caffey, from the Committee on the State Capitol, to whom was referred the bill to provide for the taking care of the State capitol, reported a substitute therefor, which was adopted.

Mr. Price Williams moved to amend the bill by striking from the first section the words, "elected at the present session of the legislature," and inserting "appointed by the Secretary of State," which motion was lost.

Mr. Austin moved to amend the bill by striking therefrom the same words, and inserting "appointed by the Governor," which motion was also lost.

Mr. Price Williams moved to amend the bill by adding to the first section the words, "and to take charge of and keep in order the State library." Said amendment was adopted.

Mr. Manasco moved to amend the bill by striking out of the third section the word "four," and inserting "three."

Mr. Wilson demanded the yeas and nays thereon, and the motion prevailed. Yeas 41; nays 18.

The yeas are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Beck, Benbow, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, W. P. Davis, Earnest, Freeman, W. C. Graham, Hall, Kavanaugh, Porter King, Lea, Majors, Manasco, McCaskill, McMullen, Prentice, Presley, Price, Reaves, Robinson, Rowe, W. M. Smith, Staton, Stephens, Wallace, Warren, P. Williams, Williamson and Wilson.

The nays are, Messrs. Bradford, Caffey, J. W. Davis, Nich. Davis, Gonder, Holley, Howard, F. S. Jackson, M. A. King, Moss, Nicks, Oates, Pettey, Shelley, John Smith, Snowden, Walker and Watkins.

And the bill was ordered to be engrossed for a third reading.

Mr. Bulger, from the Committee on Accounts, reported the bill for the relief of R. G. Walker, which was read and ordered to a second reading.

Mr. Rowe offered the following resolution:

Resolved, That the Judiciary Committee be and are hereby instructed to report to the House whether or not, under existing laws, members of the legislature are entitled to *per diem* pay while absent on leave.

On motion of

Mr. Hall, the resolution was amended by striking therefrom "on leave."

Mr. Oates moved to amend the resolution by adding thereto "and also to inquire [illegible] Sunday."

On motion of

Mr. W. M. Smith, [illegible] the table, [illegible] tion, [illegible] the [illegible]

[illegible]

[illegible]

To repeal an act therein named:

To provide for the support of lunatic paupers of the county of Franklin:

To authorise William Salle, guardian, to purchase certain property therein named for the use of his ward:

Defining the duties of justices of the peace in relation to patrols in the county of Chambers:

To make Herman Burns the legal heir of Israel and Eliza E. Burns, of Franklin county:

To regulate the allowance of witnesses in criminal cases, in the county of Conecuh:

Were severally read the third time and passed.

The bills:

To repeal an act therein named:

For the relief of certain persons therein named, and for other purposes:

To authorise the commissioner's court of roads and revenue of Montgomery to levy taxes on tenpin alleys:

To divorce the persons therein named:

To authorise the issuance of patents in certain cases:

To repeal in part an act therein named:

To regulate suits before justices of the peace in the county of Shelby:

For the relief of Hansford S. Jones:

To authorise the commissioners' court of the county of Henry to levy a special tax to build a jail in said county:

To authorise the sheriff of Henry county to advertise his sales in the Abbeville Banner, a newspaper published in the town of Abbeville, in said county:

Were severally read the second time and ordered to be engrossed for a third reading.

The bills:

To provide for the comfort of State prisoners:

To regulate the pay of witnesses in certain cases:

To establish as far as practicable deeds for lands, marriage licenses, &c., consumed by fire with the court house of Coffee county during the year 1851:

To amend the third section of an act entitled an act to reform the evils of local legislation, approved March 3d, 1848:

To compel chancellors to hold their courts:

Giving to justices of the peace jurisdiction in cases of affrays and common assaults and batteries:

In relation to the duties of registers and masters in chancery:

To regulate the publication of legal notices in the counties of this State:

To amend the laws regulating the duties of executors and administrators:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill to authorise the commissioners' court of Blount county to appoint the tax collector to assess the taxes in said county was read the second time, and, upon motion of

Mr. Staton, was laid on the table.

The bills:

To incorporate the Masonic Female College at Auburn:

To incorporate the Lowndesboro' Female Institute:

To incorporate the Grand Temple of Alabama and its subordinates, &c.:

To amend the charter of the Merchants' Insurance Company of the city of Mobile:

To incorporate the Pernassus Academy, in the county of Lowndes:

To incorporate the Burnsville Male and Female Academy:

Were severally read the second time and referred to the Committee on Corporations.

The bill making appropriations for the payment of certain claims against the State was read the second time.

Mr. Nathaniel Davis moved to refer said bill to the Committee on Ways and Means. Said motion was lost and the bill ordered to be engrossed for a third reading.

The bill to prevent injury by burning the woods at improper seasons of the year was read the second time.

Mr. Holley moved to amend the same by striking therefrom the word "April," which motion prevailed, and the bill ordered to be engrossed for a third reading.

The bills:

To abolish certain election precincts in Talladega county:

To establish and discontinue certain election precincts:

To establish an election precinct in the county of Perry:

Were severally read the second time and referred to the Committee on Privileges and Elections.

The bill from the Senate to regulate the salaries of the solicitors of Alabama was read the second time and referred to the Committee on the Judiciary.

The bill from the Senate to authorise the Governor to furnish cadet muskets to Gibson F. Hill's military academy was read the second time and referred to the Committee on the Military.

The bill from the Senate for the relief of John H. Gee and Moses Johnson, late tax collectors of Sumter and Shelby counties, was read the second time and referred to the Committee on Ways and Means.

The preamble and resolutions proposing to establish a more perfect intercourse with the Atlantic States of Georgia and South Carolina, and asking the legislatures of said States to remove obstacles to such intercourse, were read and adopted.

The bill to amend the act designating the subjects and sources and prescribing the rates and modes of taxation was read the second time and referred to the Committee on Ways and Means.

The bill to aid in the construction of the Tennessee and Coosa Railroad was read the second time and referred to the Committee on Internal Improvement.

The bill to relieve Elizabeth A. Malone from certain disabilities was read the second time and referred to the Committee on Divorce and Alimony.

The bill for the benefit of township twenty-two, range twenty-four, east, in Tallapoosa county, was read the second time and referred to the Committee on the State Bank and Branches.

The bill providing for ——— of sixteenth section notes was read the second time and referred to the Committee on the Sixteenth Section Fund.

The bill to levy a tax on suits in the supreme court and to add another judge to said court was read a second time.

Mr. Nathaniel Davis moved its indefinite postponement.

Mr. M. A. King moved to lay the bill on the table, which latter motion prevailed.

And the hour of 1 P. M. having struck, the House adjourned.

AFTERNOON SESSION, December 30, 1851.

The House met pursuant to adjournment.

The roll being called, the following members answered thereto:

Mr. Speaker, Allen, A[illegible] [illegible], Benbow, Bennett, B[illegible]n, Brown, Bulger, C[illegible] [illegible] Coleman, Cox, Crit[illegible] [illegible] Davis, Nath. D[illegible] [illegible] [illegible]t, Freeman, [illegible]y, W. C. Grah[illegible] [illegible] Howard, F. S. Jac[illegible] [illegible] King, Le[illegible] [illegible] [illegible] Mc[illegible]len, [illegible] Petty, Pre[illegible] [illegible] Rowe, Shelley [illegible] M. S[illegible] [illegible] [illegible]den, [illegible] Warren, Wat[illegible] [illegible] [illegible] and Wilson.

The [illegible] resolutions providing [illegible] th[illegible] [illegible] of this State [illegible] [illegible] Davis [illegible] [illegible] t[illegible] [illegible] resolution [illegible] [illegible] be made [illegible] [illegible] said [illegible] [illegible]

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Austin, Bennett, Boon, Brown, Bulger, Coleman, J. W. Davis, Nath. Davis, W. P. Davis, Freeman, W. C. Graham, Lea, Majors, Manasco, McCaskill, Rowe, Staton, Warren, Watkins, Williamson and Wilson.

Those who voted in the negative are, Messrs. Banks, Beck, Benbow, Caffey, Campbell, Cox, Critcher, Earnest, Hall, Howard, Holley, F. S. Jackson, M. A. King, Porter King, Liddell, McMullen, Moss, Nicks, Pettey, Prentice, Presley, Price, Robinson, Shelley, John Smith, W. M. Smith, Sterrett, Snowden, Walker, Wallace and Price Williams.

On motion of

Mr. Moss, said joint resolutions were referred to a select committee to be composed of one member from each judicial circuit. Messrs. M. A. King, Byrd, Gonder, Wallace, Campbell, Price Williams, Stone, Moss and Reaves composed said committee.

The bills:

To incorporate the Montgomery and Mobile Railroad Company:

Making appropriations to remove obstructions to the navigation of the upper Coosa:

Were severally read the second time and referred to the Committee on Internal Improvement.

The bills:

To regulate the election of the commissioners of revenue and roads of the county of Marion:

To authorise the commissioners' court of Marengo county to levy a special tax to build a county jail:

To increase the pay of commissioners of revenue and roads for Marion county:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill to provide for the opening of private roads was read the second time and referred to the Committee on Roads, Bridges and Ferries.

The bill to provide for contesting the municipal elections of Mobile was read the second time and referred to a select committee composed of the representatives from Mobile.

The bills:

To amend the stray laws:

To limit the State tax upon causes in the supreme court:

Were severally read the second time and referred to the Committee on the Judiciary.

The bills:

To extend the charter of the Mobile Medical Society:

To incorporate the Rockford Masonic Male and Female Institute:

Were severally read the second time and referred to the Committee on Corporations.

The bills:

To change the time of appointing assessors in the several counties:

For the relief of certain persons therein named:

And the Senate bill to authorise the comptroller of the State to issue his warrant on the treasurer for excess of taxes overpaid by James A. Chapman, a non-resident tax-payer:

Were severally read the second time and referred to the Committee on Ways and Means.

The bill to change the county line between Tallapoosa and Macon was read the second time and referred to the Committee on County Boundaries.

The bill to establish an election precinct in the county of Chambers was read the second time and referred to the Committee on Privileges and Elections.

The bill defining the duties of constables in the county of Chambers was read the second time. The House refused to order said bill to a third reading.

The bill from the Senate to provide a keeper for the State house at Montgomery was read the second time.

Mr. Price Williams moved to amend said bill by striking out "one hundred and fifty" and inserting "three hundred."

Mr. Nathaniel Davis called for a division of the question, which was first taken on striking out and lost.

Mr. F. S. Jackson moved to lay the bill on the table.

Mr. Wilson demanded the yeas and nays thereon, and the motion was lost. Yeas 19; nays 39.

Those who voted in the affirmative are, Messrs. Banks, Benbow, Brown, Caffey, Critcher, Nich. Davis, Holley, F. S. Jackson, M. A. King, Liddell, Moss, Nicks, Pettey, Presley, Shelley, John Smith, Walker, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Beck, Bennett, Boon, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Freeman, W. C. Graham, Hall, Howard, P. King, Lea, Majors, Manasco, McCaskill, McMullen, Prentice, Price, Reaves, Robinson, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Wallace, Warren, P. Williams and Wilson.

Mr. King moved to postpone the further consideration of said bill until the first Monday in February.

Mr Manasco demanded the yeas and nays thereon, and the motion was lost. Yeas 17; nays 39.

Those who voted in the affirmative are, Messrs. Banks, Benbow, Caffey, Critcher, Holley, F. S. Jackson, M. A. King, Liddell, Moss, Nicks, Presley, Shelley, John Smith. Staton, Walker, Watkins and Williamson.

Those who voted in the negative are. Messrs, Speaker, Allen, Armstrong, Austin, Beck. Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nich. Davis, W P. Davis, Earnest, Freeman, W. C. Graham, Hall, Howard. Porter King, Lea, Majors, Manasco, McCaskill, McMullen. Prentice, Price, Reaves, Robinson, Rowe, W. M. Smith. Stephens, Sterrett, Snowden, Wallace, Warren, P. Williams and Wilson.

Mr. Holley moved to refer the bill to the Committee on the State Capitol.

Mr. Price Williams moved the previous question.

Mr Holley demanded the yeas and nays thereon, and the call was sustained. Yeas 40; nays 18.

Those who voted in the affirmative are. Messrs. Speaker, Allen, Armstrong, Austin, Banks, Beck. Bennett. Boon. Brown. Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Navis. Earnest, Freeman, W. C. Graham, Hall. Howard, Porter King, Lea, Majors, Manasco. McCaskill. McMullen. Prentice, Price, Reaves, Robinson, Rowe. W. M. Smith. Staton. Stephens. Sterrett, Wallace, Warren. P. Williams and Wilson.

Those who voted in the negative are, Messrs Benbow, Caffey, Critcher. Nich. Davis. Holley, F. S. Jackson, M. A. King, Liddell. Moss. Nicks, Pettey, Presley, Shelley. John Smith, Snowden, Walker, Watkins and Williamson.

A point of order having arisen, Nathaniel Davis in the chair, decided that the previous question having been sustained, the main question, Shall the bill be ordered to a third reading on to-morrow? was the question before the House, and that no motion to postpone the bill was now in order.

From which decision, Mr. M. A. King appealed, and the question, Shall the decision of the chair stand as the decision of the House? was decided in the affirmative, Mr. Holley having demanded the yeas and nays. Yeas 40; nays 11.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong. Austin. Banks, Beck. Bennett. Bulger, Boon, Brown, Caffey, Campbell. Coleman, Cox, J. W. Davis, W. P. Davis, Earnest, Freeman, W. C. Graham, Hall, Howard, Porter King, Lea, Majors, Manasco. McCaskill, McMullen, Prentice, Price, Reaves, Robinson, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Warren, Price Williams and Wilson.

Those who voted in the negative are, Messrs. Critcher, Nich. Davis, Holley, F. S. Jackson, M. A. King, Liddell, Pettey, Presley, John Smith, Snowden and Watkins.

So the chair was sustained.

After some time spent in discussion, there being no quorum present, on motion of Mr. Armstrong, the roll was called when the following members answered to the call:

Messrs. Speaker, Allen, Armstrong, Austin, Banks, Beck, Bennett, Boon, Brown, Bulger, Caffey, Campbell, Cox, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, W. C. Graham, Hall, Howard, M. A. King, Porter King, Lea, Liddell, Manasco, McCaskill, McMullen, Nicks, Prentice, Presley, Price, Reaves, Robinson, Rowe, Shelley, W. M. Smith, Stephens, Sterrett, Walker, Wallace, Warren, Watkins, P. Williams, Williamson and Wilson.

There being no quorum present,

Mr. Earnest moved to adjourn, which motion was lost.

Mr. Armstrong moved that the door keeper be sent for absentees, which motion prevailed.

And then, on motion of Mr. Liddell, the House adjourned.

DECEMBER 31, 1851.

The House met pursuant to adjournment.

On motion, the roll was called, and the following members answered to the call:

Messrs. Speaker, Allen, Armstrong, Banks, Beck, Benbow, Bennett, Boon, Bradford, Brown, Campbell, Carlisle, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Goldsby, W. C. Graham, Holley, Kavanaugh, M. A. King, Porter, King, Lea, Majors, Manasco, McCaskill, McMullen, Moss, Oates, Pettey, Pool, Presley, Reaves, Rowe, Shelley, John Smith, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Warren, Watkins, P. Williams, Williamson and Wilson.

On motion of

Mr. John Smith, the vote by which the House on yesterday refused to order the bill defining the duty of constables in the county of Chambers to a third reading, was reconsidered and the bill placed among the orders of the day.

On motion of

Mr. Nathaniel Davis, the call of the counties was suspended, to enable him to introduce the following resolution:

Resolved, That by and with the consent of the Senate, the two Houses adjourn *sine die* on the third Monday in January next.

Mr. Hall moved to amend by striking out "third Monday in January" and inserting "9th day of February."

Mr. Price Williams moved to lay the resolution on the table, and

Mr. Nath. Davis demanded the yeas and nays thereon, and the motion was lost. Yeas 29 ; nays 37.

Those who voted in the affirmative are, Messrs. Benbow, Bradford, Bulger, Carlisle, Coleman, Cox, W. P. Davis, Earnest, Freeman, Gladney, Holley, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Manasco, McMullen, Moss, Nicks, Oates, Pettey, Presley, Robinson, Shelley, W. M. Smith, Sterrett, Snowden and P. Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Beck, Bennett, Boon, Brown, Caffey, Campbell, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, Goldsby, Gonder, Hall, Howard, Porter King, Lea, Majors, McCaskill, Pool, Prentice, Reaves, Rowe, Shorter, John Smith, Staton, Stephens, Walker, Wallace, Warren, Watkins, Williamson and Wilson.

Mr. Moss moved to postpone the consideration until Monday next, which was lost.

The question then recurred on the adoption of the amendment by Mr. Hall.

Mr. Cox moved to insert "third Monday in February."

Mr. Nath. Davis called for a division of the question, and the vote was taken first on striking out, and carried ; second, on inserting third Monday in February, and lost.

Mr. Nicks moved to fill the blank with "February 13th," which was lost.

Mr. W. M. Smith moved to fill the blank with "February 17th," which was lost.

The question then recurred, on

Mr. Hall's motion, to fill the blank with "9th of February," and the motion prevailed.

Mr. W. M. Smith moved to postpone the consideration of the resolution until Saturday next, and

Mr. Nathaniel Davis demanded the yeas and nays thereon. Yeas 24 ; nays 39.

Those who voted in the affirmative are, Messrs. Benbow, Bradford, Bulger, Caffey, Carlisle, Cox, Critcher, Freeman, Gonder, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McMullen, Nicks, Oates, Presley, Robinson, Shelley, W. M. Smith, Sterrett, Snowden and P. Williams.

Those who voted in the negative are, Messrs. Speaker, Ashley, Banks, Beck, Bennett, Boon, Brown, Campbell, Coleman, J. W. Davis, Nathaniel Davis, Nich. Davis, Earnest, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, P. King, Lea, Majors, Manasco, McCaskill, Pettey, Pool, Reaves, Rowe, Shorter, John Smith, Staton, Stephens, Walker, Wallace, Warren, Watkins, Williamson and Wilson.

And the resolution was adopted.

Mr. Ashley introduced a bill to incorporate the Conecuh Plankroad Company, which was read, and the constitutional rule being suspended, was read a second time and referred to the Committee on Internal Improvement.

Mr. Watkins introduced a bill to repeal in part a certain act therein mentioned, and for other purposes, which was read, and the constitutional rule being suspended, was read a second time and referred to the Committee on Ways and Means.

Bills were introduced by:

Mr. W. M. Smith, to require the Governor to reside at the seat of government:

Mr. Moss, for the relief of Mary Austin:

Mr. Manasco, relating to the county treasurer of Walker county: and

Mr. F. S. Jackson introduced a joint resolution to provide for the placing of the city clock of Montgomery upon the State capitol:

Which were severally read and ordered to a second reading.

Mr. Gonder introduced a bill to amend an act incorporating the town of Benton, which was read, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

Mr. Lea presented the account of P. B. Raiford, which was referred to the Committee on Accounts.

Mr. Freeman presented the account of J. and S. S. Morgan, which was referred to the Committee on Accounts.

Mr. Freeman introduced a bill to authorise judges of probate to practice law upon certain conditions, which was read, and the constitutional rule being suspended, was read a second time and referred to the Committee on the Judiciary.

Mr. Reaves introduced a bill to legalise the sale of certain lands therein named in the county of Randolph which was read, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

Mr. Manasco introduced a joint resolution in relation to absent members of the legislature, and

Mr. McMullen demanded the yeas and nays on ordering the same to a second reading, and was so ordered. Yeas 37; nays 15.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Banks, Benbow, Bennett, Boon, Brown, Bulger, Caffey, Carlisle, Coleman, Critcher, J. W. Davis, W. P. Davis, Earnest, Freeman, Hall, F. S. Jackson, J. W. W. Jackson, Liddell, Majors, Manasco, McMullen, Nicks, Rowe, Shelley, Shorter, W. M.

Smith, Staton, Stephens, Sterrett, Snowden, Warren, Watkins, P. Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Bradford, Cox, Nich. Davis, Goldsby, Howard, M. A. King, Lea, Moss, Oates, Pettey, Pool, Robinson, John Smith and Wallace.

Mr. Sterrett presented the petition of F. W. Price and others, which was referred to the Committee on Privileges and Elections.

Mr. Wilson, from the Committee on Accounts, reported back the bill to compensate Sampson Clayton for certain services therein named, and also the bill to compensate a certain person therein named. Said bills were ordered to be engrossed for a third reading.

Mr. Wilson, from the Committee on Accounts, reported adversely to the account of Andrew Lawson.

Mr. Nicks moved to lay the report on the table, which was lost, and the report was concurred in by the House, and

Mr. Nicks withdrew the same.

Mr. Wilson from the Committee on Accounts, reported adversely to the account of James Floyd.

On motion of

Mr. Ashley, the report was laid on the table, and

Mr. Ashley withdrew the account.

Mr. Wilson, from the same committee, reported adversely to the account of A. B. McWhorter, and the report was concurred in.

Mr. F. S. Jackson, from the select committee to whom was referred the bill to change the fees of the judges of probate in the counties of Montgomery and Macon, reported the same back without amendment. Said bill was ordered to be engrossed for a third reading.

The bill from the Senate, to define more fully the duties of the commissioners of the turnpike road in Lawrence county, granted to John Moore and D. G. Ligon, by charter from the legislature of this State, approved 3d February, 1846:

The engrossed bills:

To regulate the election of commissioners of roads and revenue for the county of Marion:

To increase the fees of commissioners of revenue and roads for Macon county:

To authorise the commissioners' court of Marengo county to levy a special tax to build a county jail:

To incorporate the White Plume Riflemen:

For the relief of certain persons therein named, and for other urposes:

To authorise the commissioners' court of the county of Henry to levy a special tax to build a jail in said county:

To authorise the sheriff of Henry county to advertise his sales in the Abbeville Banner, a newspaper published in the town of Abbeville, in said county:

To divorce the persons therein named:

To regulate suits before justices of the peace in the county of Shelby:

To repeal in part an act therein named:

To authorise the commissioners' court of roads and revenue of Marshall county to levy a tax on ten-pin alleys:

To repeal an act therein named:

For the relief of Hansford S. Jones:

To authorise the issuance of patents in certain cases:

Were severally read the third time and passed.

The engrossed bill to provide for taking care of the State capitol was read the third time.

Mr. Nathaniel Davis moved to lay the bill on the table.

Mr. F. S. Jackson demanded the yeas and nays, and the motion prevailed. Yeas 34; nays 28.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Bennett, Boon, Bulger, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Porter King, Lea, Majors, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Warren, P. Williams and Wilsen.

Those who voted in the negative are, Messrs. Ashley, Banks, Beck, Benbow, Bradford, Caffey, Carlisle, Critcher, Nich. Davis, Earnest, Freeman, Holley, F. S. Jackson, M. A. King, Liddell, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, Snowden, Walker, Wallace, Watkins and Williamson.

Mr. Robinson moved to take from the orders the bill from the Senate to provide a keeper for the State House at Montgomery.

Mr. F. S. Jackson demanded the yeas and nays thereon, and the motion prevailed. Yeas 34; nays 25.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Banks, Boon, Brown, Bulger, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis. W. C. Graham, Porter King, Lea, Majors, Manasco, McCaskill, McMullen, Moss, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Warren, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Ashley, Banks, Benbow, Bradford, Caffey, Carlisle, Critcher, Nich. Davis, Earnest, Holley, F. S. Jackson, Lea, Liddell, Nicks, Oates, Pettey, Shelley, John Smith, Snowden, Walker, Wallace, Watkins and Williamson.

The previous question having been sustained on yesterday, the question recurred on ordering the bill to a third reading and the bill was so ordered.

The bill from the Senate to prevent the retail of ardent spirits in the Fayetteville beat, in the county of Fayette, was read the second time and referred to the Committee on Corporations.

The bill from the Senate to make a donation of the State capitol at Tuscaloosa was read the second time.

Mr. Manasco moved to lay the bill on the table.

Mr. Porter King moved to postpone the consideration till Tuesday next, and to be made the special order for the hour of 11 o'clock of said day.

Mr. Manasco moved its postponement till the first Monday in February, which was lost, and the question recurring on the motion of Mr. Porter King, said motion prevailed.

The bill to define the county line between Jefferson and Shelby was read the second time and referred to a select committee composed of the Representatives of Jefferson and Shelby.

The bill to establish a company beat in the county of DeKalb was read the second time and referred to the Committee on the Military.

The bills:

To authorise the guardian of the infant children of Peter Anderson, deceased, to invest the funds of his wards in slaves:

For the relief of Phebe White:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill to change the line and attach a part of the county of Tuscaloosa to the county of Jefferson was read the second time and referred to a select committee composed of the Representatives from the counties named in the bill.

The bill for the relief of Mary C. Waters was read the second time and referred to the Committee on Divorce and Alimony.

The bill for the relief of Charles F. Lewis, sheriff of Macon, was read the second time and referred to the Committee on Accounts.

The bills:

To incorporate the town of Jefferson, in Marengo county:

To incorporate the town of McKinley, in Marengo county:

To amend the laws in relation to the town of Dempolis, and to amend the laws of said town:

Were severally read the second time and referred to the Committee on Corporations.

The bill for the relief of Daniel R. Loper was read the second time and referred to the Committee on Propositions and Grievances.

The bill to incorporate the town of Orion, in Pike county, was read the second time and referred to the Committee on Corporations.

And the hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, December 31, 1851.

The House met pursuant to adjournment.

The roll being called the following members answered thereto:

Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Beck, Benbow, Boon, Bradford, Bulger, Caffey, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Freeman, Goldsby, Hall, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Lea, Liddell, Majors, Manasco, McCaskill, McMullen, Moss, Oates. Pettey, Pool, Prentice, Presley, Robinson, Rowe, Shelley, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Walker, Warren, Watkins, Price Williams and Wilson.

The engrossed bills:

To prevent injury by burning the woods at improper seasons of the year:

Making appropriations for the payment of certain claims against the State:

Were severally read a third time and passed.

The bill defining the duty of constables in the county of Chambers was read the second time.

Mr. Carlisle moved to amend the bill by way of proviso, which was adopted, and the bill ordered to be engrossed for a third reading.

The bills:

To amend the road law in Coosa county:

To regulate the payment of a certain sum of money in the county of Marion, &c.:

To establish an additional beat in the eighty-eighth regiment in the county of Jefferson:

Constituting Samuel F. Perkins a liner, &c.:

For the relief of Henry Traun:

To divorce David A. Malone from Elizabeth A. Malone:

For the relief of John T. Rather and Jonathan Orr:

For the relief of Wm. B. Crews, of Barbour county:

Were severally read the second time and ordered to be engrossed for a third reading.

The bill for the relief of Stephen Williamson was read the second time and referred to the Committee on County Boundaries.

The bills:

Concerning registers in chancery:

To repeal in part an act therein named, and for other purposes:

To regulate the duties of justices of the peace and constables:

Were severally read the second time and referred to the Committee on the Judiciary.

The bill in regard to school commissioners was read the second time and referred to the Committee on the Sixteenth Section Fund.

The bill to incorporate the Mobile Temperance Hall Association was read the second time and referred to the Committee on Corporations.

The bill to prevent willful evasions of the revenue laws of the State was read the second time and referred to the Committee on Ways and Means.

The bill to provide for the building of a poor house in the county of Choctaw was read a second time, and on motion of

Mr. Shorter, laid on the table.

The bill for the relief of Zilpha F. Rogers was read a second time and amended by

Mr. Coleman, by adding Dorcas McCullough, of Fayette county; of

Mr. Moss, by adding Mary Austin, wife of John C. Austin, of Montgomery county; of

Mr. Holley, by adding Cynthia Armstrong, of Coffee county;

Of Mr. Carlisle, by adding Susannah D. Atkins, of Chambers county.

And the bill was ordered to be engrossed for a third reading.

The bill for the relief of David Powell was read a second time.

Mr. Lea moved to amend the bill by adding an additional section, to be numbered section two, as follows:

Sec. 2. *And be it further enacted*, That so much of the accounts herein mentioned as are properly chargeable to the general government be presented through an agent or otherwise to the proper department for allowance.

On motion of

Mr. Hall, the bill and amendment were referred to the Committee on Accounts.

And then the House adjourned.

JANUARY 1, 1852.

The House met pursuant to adjournment.

On motion, the roll was called, and the following members answered to the call:

Messrs. Speaker, Allen, Ashley, Banks, Benbow, Bennett, Boon, Bradford, Caffey, Campbell, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Earnest, Freeman, Gladney, Goldsby, Hall, Holley, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Porter King, Lea, Liddell, Majors, Manasco, McCaskill, McMullen, Moss, Nicks, Pettey, Pool, Presley, Reaves, Robinson, Rowe, Shelley, Shorter, W. M. Smith, Stephens, Sterrett, Walker, Wallace, Warren, Watkins, Webb, P. Williams, Williamson and Wilson.

Mr. Hall presented the petition of citizens of Benton and Cherokee counties to prevent trespass on timber, which was referred to the Committee on the Judiciary.

Mr. J. W. W. Jackson introduced a bill to change certain election precincts in the county of Barbour: also,

A bill to attach John A. Eford to beat No. 6, in Barbour county:

Which were severally read, and the constitutional rule being suspended, were read a second time forthwith and referred to the Committee on Privileges and Elections.

Bills were introdued by:

Mr. J. W. Davis, to compensate John W. Murphy and Samuel Palmer for money paid out and for services rendered the State:

Mr. Ashley, to pay James Floyd, of Conecuh county, for services rendered as constable:

Mr. Price Williams, to provide for the incorporation of steamship companies:

Mr. Benbow, to incorporate the Pike Rangers of Pike county:

Which were severally read and ordered to a second reading.

Mr. McCaskill presented the petition of citizens of Monroe county, asking the revisal of the militia law, and the publication of a new edition of the same, which was referred to the Committee on the Military.

Mr. McCaskill presented the petition of John W. Foster, which was referred to the Committee on Accounts.

Mr. Goldsby introduced a bill to aid the Alabama and Mississippi River Railroad Company, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Internal Improvement.

Mr. Benbow introduced a bill for the relief of Stephen A. Kersey, of Pike county, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Propositions and Grievances.

Reports.

Mr. Carlisle, from the Committee on Ways and Means, reported adversely to the bill to regulate the granting of licenses to retailers of spirituous liquors, and

Mr. Goldsby, from the Committee on Propositions and Grievances, reported adversely to the petition of Greene W. Keadle: Which reports were severally concurred in by the House.

Mr. Rowe, from the Committee on County Boundaries, reported back the bill for the relief of Stephen Williamson without amendment and recommended its passage.

Mr. Presley, from the Committee on Divorce and Alimony, reported back the bill for the relief of John Woddell and Delilah Naramore without amendment and recommended its passage.

Mr. Liddell, from the Committee on Divorce and Alimony, reported back the bill for the relief of Mary C. Waters without amendment and recommended its passage.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported back the bill to prevent the erection of the lines of telegraph wires across the public roads in this State, except upon certain conditions, without amendment and recommended its passage.

Said bills were severally ordered to be engrossed for a third reading.

Mr. Carlisle, from the Committee on Divorce and Alimony, reported adversely to the bill to relieve Elizabeth A. Malone from certain disabilities.

Mr. Bennett moved to lay the report on the table, which motion was lost and then the report was concurred in by the House.

Mr. Freeman introduced a bill to pay Joseph C. Brooks, of Pike county, forty-seven 28-100 dollars, which was read and ordered to a second reading.

The question recurred on the adoption of the following resolution heretofore offered by

Mr. Rowe, and cut off by the order of the day on Tuesday:

Resolved, That the Judiciary Committee be and are hereby instructed to report to this House, whether or not under existing laws members of the legislature are entitled to *per diem* pay while absent on leave.

Said resolution was adopted.

Mr M. A. King, by leave, introduced a bill to authorise the commissioners' court of Madison county to correct certain mistakes in the collection of the revenue of said county, which was read, and the constitutional rule being suspended, was read a second time and referred to the Committee on Ways and Means.

Mr. Nathaniel Davis offered the following resolution:

Resolved, That with the concurrence of the Senate, the two

Houses will assemble in the hall of the House of Representatives on Monday next, at 12 o'clock, to elect a fourth judge to the bench of the supreme court.

Mr. Shelley moved to amend by striking out "Monday next," and inserting "Monday three weeks," which was lost.

Mr. F. S. Jackson moved to insert "Monday two weeks."

Mr. Hall called for a division of the question, and the vote was first taken on striking out and lost.

Mr. Presley moved to lay the resolution on the table.

Mr. F. S. Jackson demanded the yeas and nays, and the motion was lost. Yeas 20; nays 39.

Those who voted in the affirmative are, Messrs. Benbow, Bradford, Caffey, Carlisle, Cox, Critcher, Freeman, Gonder, Holley, F. S. Jackson Kavanaugh, M. A. King, Lea, Liddell, Nicks, Presley, Shelley, Snowden. Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Banks, Beck, Benham, Bennett, Boon, Campbell, Coleman, J. W. Davis, Nathaniel Davis, Earnest, Goldsby, W. C. Graham, Hall. Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister. McCaskill. McMullen, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton. Stephens, Sterrett, Stone, Wallace, Warren. Webb. Price Williams and Wilson.

Mr. F. S. Jackson moved to postpone the further consideration of the resolution till Wednesday next, which was lost.

Mr. Webb moved to amend by adding two judges.

Mr. Hall moved the previous question.

Mr. Williamson moved to postpone till Monday next.

Mr. F. S. Jackson demanded the yeas and nays, and the motion was lost. Yeas 20; nays 40.

Those who voted in the affirmative are, Messrs. Ashley, Benbow, Benham, Caffey, Carlisle, Cox. Critcher, Gonder, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moss, Presley, Shelley. Snowden, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Banks. Bennett, Boon, Bradford, Bulger, Campbell, Coleman, J. W. Davis, Nath. Davis, Nich. Davis, Earnest, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Wallace, Warren, Webb, P. Williams and Wilson.

Mr. F. S. Jackson moved to postpone till Saturday next, which was lost.

Mr. F. S. Jackson moved to postpone till to-morrow and demanded the yeas and nays, and the motion was lost. Yeas 22; nays 37.

Those who voted in the affirmative are, Messrs. Ashley, Benbow, Beck, Bradford, Caffey, Carlisle, Cox, Critcher, Earnest, Freeman, Gonder, Holley, F. S. Jackson, M. A. King, Lea, Moss, Presley, Shelley, Snowden, Warren, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Banks, Beck. Bennett, Boon, Bulger, Campbell, Coleman, J. W. Davis, Nath. Davis, Nich. Davis, Goldsby, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Wallace, Webb, P. Williams and Wilson.

The question then recurred on Mr. Hall's motion for the previous question, and the call was sustained.

Mr. F. S. Jackson demanded the yeas and nays. Yeas 35; nays 28.

Those who voted in the affirmative are, Messrs. Speaker, Bennett, Boon, Bradford, Bulger, Campbell, Coleman, J. W. Davis, Nathaniel Davis, Nich. Davis, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Stone, Wallace, Warren, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Allen, Ashley, Banks, Beck, Benbow, Benham, Caffey, Carlisle, Cox, Critcher, Earnest, Freeman, Gonder, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moss, Presley, Shelley, Sterrett, Snowden, Walker, Watkins, Webb and Williamson.

And then the resolution was adopted.

Mr. Hall offered the following resolution, which was adopted:

Resolved, That so much of the Governor's message as relates to the agency of R. T. Scott on claims on the Federal government arising out of the Mexican war be referred to the Committee on Federal Relations, and that they be instructed to report by bill or otherwise.

Mr. Boon offered the following resolution, which was adopted:

Resolved, That the Committee on Retrenchment be instructed to enquire into the fees and salaries of all the officers in the employ of the State as soon as convenient, and report the result of their inspection back to the House by bill or otherwise, with such changes or regulations as they may think proper to make.

Mr. Goldsby offered the following resolution:

Resolved, That with the concurrence of the Senate, the two Houses will meet in convention on Thursday, the 8th inst., at 12 M., to elect a fifth Judge of the Supreme Court.

Mr. Earnest moved to amend by striking out "Thursday" and inserting "Monday next, 12½ o'clock," which motion was lost, and

Then the resolution was adopted.

Mr. Wallace offered the following resolution, which was adopted:

Resolved, That the Committee on the Sixteenth Sections be instructed to enquire into the expediency of requiring the voters of the sixteenth sections to hold an election upon the question, whether the fund derived from and to accrue from the said section shall be consolidated and form a common school fund for the purpose of education, to be mannaged and controled by the legislature. Also, into the expediency of appointing a proper person to visit the different townships of the State and urge the citizens to vote for such consolidation, and that they report by bill or otherwise.

Mr. Bradford offered the following resolution:

Resolved, That in ascertaining the number of white inhabitants of the county of Madison, the Committee on State Apportionment be instructed to be governed by the census taken by the United States officers.

Mr. M. A. King moved to amend said resolution by a substitute as follows:

That the Committee on Apportionment be instructed to adopt the corrected census of the State as certified by the clerk of the circuit court of Madison county as to the county of Madison.

On motion of

Mr. Hall, the resolution and amendment were referred to the Committe on the Judiciary.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To incorporate the Dadesville Masonic Female Seminary:

For the relief of William B. Crews, of Barbour county:

To compensate a certain person therein named:

To amend an act for the incorporation of the town of Benton:

To compensate Sampson Clayton for certain services therein named:

To divorce David A. Malone from his wife Elizabeth A. Malone:

Constituting Samuel F. Perkins a liner, &c.:

To repeal an act to amend the road law in Coosa county:

For the relief of Phebe White:

For the relief of Henry Tracy:

For the relief of John T. Rather and Jonathan Orr:

To authorise the guardian of the infant children of Peter Anderson to invest the funds of his wards in slaves:

Defining the duty of constables in the county of Chambers:

To change the fees of the judges of probate in the counties of Montgomery and Macon:

To regulate the payment of a certain sum of money in the county of Marion, and for other purposes:

To establish an additional beat in the 88th regiment in the county of Jefferson:

Were severally read the third time and passed.

The engrossed bill for the relief of Zilpah F. Rodgers, of Lauderdale county, and others, was read the third time.

Mr. Sterrett moved to amend said bill by engrossed ryder, extending the provisions of the bill to Lucinda Doak and Nancy Deshazo, of Shelby county. Said engrossed ryder was read three times and adopted and the bill passed.

The bill from the Senate to provide a keeper for the State house at Montgomery was read the third time.

Mr. Shelley moved to lay the bill on the table.

Mr. Gonder demanded the yeas and nays thereon, and the motion was lost. Yeas 30; nays 35.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benbow, Bradford, Caffey, Carlisle, Critcher, Nich. Davis, Earnest, Freeman, Gonder, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moss, Nicks, Pettey, Presley, Shelley, Staton, Snowden, Walker, Wallace, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Beck, Benham, Boon, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Warren, P. Williams and Wilson.

Mr. Bradford moved its postponement until the first Monday in February.

Mr. Nicholas Davis demanded the yeas and nays thereon, and the motion was lost. Yeas 29; nays 37.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benbow, Benham, Bennett, Bradford, Caffey, Carlisle, Cox, Critcher, Nich. Davis, Earnest, Freeman, Gonder, Holley, F. S. Jackson, Kavanaugh, Lea, Liddell, Moss, Nicks, Pettey, Presley, Shelley, Snowden, Walker, Wallace, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Beck, Boon, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, M. A. King, P. King, Majors, Manasco, McAllister, McCaskill, Pool, McMullen, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Warren, P. Williams and Wilson.

Mr. Snowden moved its postponement until Monday week.

Mr. F. S. Jackson moved its postponement until the fourth Monday in January.

Mr. Nicholas Davis demanded the yeas and nays thereon.

Pending which question, the hour of 1 P. M. having struck, the House adjourned.

AFTERNOON SESSION, January 1, 1852.

The House met pursuant to adjournment, and resumed the consideration of the bill from the Senate to provide a keeper for the State house at Montgomery.

The question recurred on the motion of Mr. F. S. Jackson to postpone the further consideration of said bill until the fourth Monday in January.

Mr. Nicholas Davis having demanded the yeas and nays thereon, said motion was lost. Yeas 21; nays 39.

Those who voted in the affirmative are, Messrs. Banks, Benham, Caffey, Critcher, Earnest, Freeman, Glover, Gonder, F. S. Jackson, Kavanaugh, McCollum, Moss, Oates, Pettey, Presley, Snowden, Walker, Wallace, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, Howard, J. W. W. Jackson, Jones, M. A. King, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Warren, Price Williams and Wilson.

Mr. M. A. King moved to reconsider the vote just taken and demanded the yeas and nays thereon. Said motion was lost. Yeas 22; nays 41.

Those who voted in the affirmative are, Messrs. Banks, Benham, Caffey, Carlisle, Critcher, Freeman, Glover, Gonder, F. S. Jackson, Kavanaugh, M. A. King, McCollum, Moss, Oates, Pettey, Presley, Snowden, Walker, Wallace, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter, King, Majors, Manasco, McAllister, McCaskill, McMullen, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Warren, P. Williams and Wilson.

Mr. Francis S. Jackson moved its postponement until the Saturday before the fourth Monday in January.

Mr. Snowden demanded the yeas and nays thereon, and the motion was lost. Yeas 24; nays 42.

Those who voted in the affirmative are, Messrs. Banks, Allen, Benham, Bradford, Caffey, Carlisle, Critcher, Nich. Davis, Freeman, Glover, Gonder, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Oates, Pettey, Presley, Walker, Wallace, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Snowden, Stone, Warren and Wilson.

Mr. Snowden moved to reconsider the vote just taken.

Mr. Nath. Davis in the chair decided the motion out of order, as it was evidently intended to delay.

From which decision, Mr. Mr. Nich. Davis appealed, and

Mr. Gonder demanded the yeas and nays thereon.

The question, Shall the decision of the chair stand as the decision of the House? was decided in the negative. Yeas 21; nays 39.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Bennett, Boon, Brown, Bulger, Campbell, Coleman, W. C. Graham, Jones, Majors, Manasco, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Staton, Stephens, Stone, Warren and Wilson.

Those who voted in the negative are, Messrs. Ashley, Banks, Benham, Bradford, Caffey, Carlisle, Cox, Critcher, James W. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, Gonder, Holley, Howard, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McAllister, McCollum, Moss, Nicks, Oates, Pettey, Presley, Shorter, W. M. Smith, Sterrett, Snowden, Walker, Watkins, Webb, P. Williams and Williamson.

The question then recurred upon the motion of

Mr. Snowden, to reconsider the vote by which the House refused to postpone said bill until the Saturday before the fourth Monday in January.

Mr. Francis S. Jackson demanded the yeas and nays thereon, and the motion to reconsider was lost. Yeas 27; nays 44.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benham, Bradford, Byrd, Caffey, Carlisle, Critcher, Nich. Davis, Freeman, Glover, Gonder, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Nicks, Oates, Pettey, Presley, John Smith, Snowden, Walker and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Warren, Watkins, Webb, P. Williams and Wilson.

Mr. Francis S. Jackson moved to postpone the further consideration of said bill until Friday before the fourth Monday in January inst., and demanded the yeas and nays thereon. Said motion was lost. Yeas 28; nays 42.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benham, Bradford, Boyd, Caffey, Carlisle, Critcher, Nich. Davis, Glover, Gonder, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley, John Smith, Snowden, Walker, Wallace, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Bennett, Boon, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Warren, Webb, P. Williams and Wilson.

Mr. Snowden moved the postponement until Monday, 12th inst.; that it be made the special order for 12 M. of said day, and demanded the yeas and nays thereon. Said motion was lost. Yeas 26; nays 42.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benham, Byrd, Caffey, Carlisle, Critcher, Nich. Davis, Freeman, Glover, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, McCollum, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, Snowden, Walker, Wallace and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong; Beck, Bennett, Boon, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, Staton Stephens, Sterrett, Stone, Warren, Webb, P. Williams and Wilson.

Mr. Banks moved its postponement until Monday next, and that it be made the special order of the day for 3 P. M. of said day.

Mr. Nich. Davis moved its postponement until Saturday, the 10th inst.

Mr. Speaker decided said motion to be out of order, as the same was evidently intended for delay.

From which decision, Mr. Nich. Davis appealed, and Mr. F. S. Jackson demanded the yeas and nays thereon.

The question, Shall the decision of the chair stand as the decision of the House? was decided in the affirmative. Yeas 29; nays 24.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Bennett, Boon, Brown, Bulger, Caffey, Campbell, Coleman, Nath. Davis, W. P. Davis, Gladney, Goldsby, Jones, Manasco, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, W. M. Smith, Staton, Stephens, Stone, Warren, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Ashley, Banks, Byrd, Cox, Critcher, J. W. Davis, Nich. Davis, Earnest, Glover, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, Snowden, Webb and Williamson.

On motion of

Mr. Webb, the rule requiring the House to adjourn at 5 P. M. was suspended.

Mr. Webb moved to adjourn until 10 o'clock on to-morrow. Said motion was lost.

Mr. Nich. Davis moved to postpone the further consideration of the bill until Tuesday next.

The Speaker decided said motion to be out of order, as the same was evidently intended for delay.

From which decision Mr. Nicholas Davis appealed, and

Mr. F. S. Jackson demanded the yeas and nays thereon, and the question, Shall the decision of the chair stand as the decision of the House? was decided in the negative. Yeas 29; nays 32.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Nat. Davis, W. P. Davis, Gladney, Goldsby, W. C. Graham, Jones, P.

King, Manasco, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Stone, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Ashley, Banks, Benham, Bradford, Byrd, Caffey, Carlisle, Cox, Critcher, J. W. Davis, Nicholas Davis, Earnest, Freeman, Glover, Gonder, Howard, F. S. Jackson, M. A. King, Liddell. McCollum, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, Snowden, Walker, Webb and Williamson.

The question then recurred on the motion of

Mr. Nicholas Davis to postpone the bill until Tuesday, and make it the special order for 12 M. of said day.

Mr. F. S. Jackson demanded the yeas and nays thereon.

Mr. Oates moved to adjourn until 10 o'clock, on to-morrow, which motion was lost.

And then the motion of Mr. Nicholas Davis was lost. Yeas 23; nays 45.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benham, Bradford, Byrd, Caffey, Carlisle, Critcher, Glover, Gonder, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Oates, Pettey, Presley, John Smith, Snowden and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, Nicholas Davis, W. P. Davis, Earnest, Freeman, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Walker, Webb, P. Williams and Wilson.

Mr. Nicholas Davis moved to reconsider the vote just taken, and

Mr. F. S. Jackson demanded the yeas and nays thereon.

Mr. Webb moved to adjourn until 10 o'clock, to-morrow.

Mr. Nathaniel Davis demanded the yeas and nays thereon, and the motion was lost. Yeas 18; nays 42.

Those who voted in the affirmative are, Messrs. Caffey, Critcher, Nicholas Davis, Freeman, Glover, Gonder, Henshaw, Kavanaugh, M. A. King, Liddell, Moss, Oates, Presley, John Smith, Snowden, Walker, Webb and Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Beck, Bennett, Boon, Bradford, Brown, Bulger, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Pettey, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, P. Williams and Wilson.

The motion then recurred on the motion to reconsider the vote by which the House refused to postpone said bill until Tuesday next, and the motion was lost. Yeas 13; nays 43.

Those who voted in the affirmative are, Messrs. Bradford, Byrd, Nicholas Davis, Glover, Gonder, Henshaw, M. A. King, Liddell, McCollum, Oates, John Smith, Snowden and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Beck, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W P. Davis, Gladney, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Walker, Watkins, Webb, P. Williams and Wilson.

The question then recurred on the motion of Mr. Banks to postpone the bill until Monday next and make it the special order for 3 o'clock P. M. of said day.

Mr. Byrd moved to adjourn until 10 o'clock on to-morrow.

Mr. Price Williams demanded the yeas and nays thereon, and the motion prevailed. Yeas 35; nays 33.

Those who voted in the affirmative are, Messrs. Speaker, Benham, Bennett, Bradford, Byrd, Caffey, Carlisle, Coleman, Critcher, J. W. Davis, Freeman, Glover, Gonder, Hall, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, W. M. Smith, Sterrett, Snowden, Warren, Walker, Webb and Williamson.

Those who voted in the negative are, Messrs. Allen, Armstrong, Ashley, Banks, Beck, Boon, Bulger, Campbell, Cox, Nat. Davis, Gladney, Goldsby, W. C. Graham, Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, Staton, Stephens, Stone, P. Williams and Wilson.

JANUARY 2, 1852.

The House met pursuant to adjournment.

Mr. Hall moved to suspend the call of the counties for the purpose of taking up the bill from the Senate to provide for a keeper of the State house at Montgomery, and to give Mr. Byrd leave to introduce a bill.

Mr. Armstrong moved to suspend to give leave to Mr. W. C. Graham to introduce a bill, which was lost.

Mr. M. A. King demanded the yeas and nays on Mr. Hall's motion to suspend, and the motion was lost. Yeas 28; nays 42.

Those who voted in the affirmative are. Messrs. Speaker, Allen, Beck, Boon, Bulger, Bussey, Campbell, Cox, J. W. Davis, Nathaniel Davis, Nicholas Davis, N. S. Graham, Hall, Howard, J. W. W. Jackson, Jones, McAllister, McMullen, Pool, Prentice, Reaves, Rowe, Shorter, Stephens, Stone, Watkins, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Armstrong, Ashley, Banks, Benham, Bennett, Bradford, Brown, Byrd, Caffey, Carlisle, Cooper, Critcher, W. P. Davis, Earnest, Freeman, Glover, W. C. Graham, Hendree, Henshaw, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Manasco, McCaskill, McMullen, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Walker, Warren and Webb.

Bills were introduced by:

Mr. N. S. Graham, to compel plaintiffs to give security for costs in certain cases:

Mr. W. M. Smith, to improve the navigation of Big Bear Creek:

Mr. Williamson, to establish an election precinct at the house of John Nixon, in the county of Lowndes:

Mr. Brown, to repeal in part an act in part approved 21st January, 1851, in relation to the county treasurer of Marion county:

Mr. McCaskill, to authorise the issuance of license for keeping billiard tables and ten-pin alleys for the term of six months in certain cases:

Mr. Moss, for the relief of Missouri Rutland and others:

Mr. Freeman, to regulate the sale of bagging:

Mr. Manasco, to authorise Wm. R. King to erect a mill dam across Lost Creek, in the county of Walker:

Mr. Nathaniel Davis, to regulate the sales by administrators, executors, guardians, sheriffs, registers and tax collectors:

Which were severally read and ordered to a second reading.

Mr. Watkins presented the petition of John Miller and others, which was referred to the Committee on Propositions and Grievances.

Mr. W. C. Graham introduced a bill for the removal of the seat of government from Montgomery to Selma, which was read, and the constitutional rule being suspended, was read a second time forthwith.

Mr. Cox moved to lay the bill on the table.

Mr. Stephens moved to postpone its consideration to the third Monday in January, and to be made the special order for the hour of 3 P. M. on said day.

Mr. Williamson moved to postpone till the first Monday in February, and to be made the special order for the hour of 3 P. M. of said day, and demanded the yeas and nays thereon, and the motion was lost. Yeas 20; nays 52.

Those who voted in the affirmative are, Messrs. Banks, Benham, Bradford, Caffey, Cox, N. S. Graham, Hendree, F. S. Jackson, J. W. W. Jackson, M. A. King, Lea, McMullen, Pettey, Presley, Shorter, John Smith, Snowden, Wallace, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Beck, Bennett, Boon, Brown, Bulger, Bussey, Byrd, Campbell, Carlisle, Cooper, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Glover, Goldsby, W. C. Graham, Hall, Jones. Kavanaugh, Porter King, Liddell, Majors, Manasco, McAllister, McCaskill, McMullen, Moss, Nicks, Oates, Pool, Prentice, Reaves, Robinson, Rowe, Shelley, W. M. Smith, Staton, Stephens, Sterrett, Stone, Walker, Warren, P. Williams and Wilson.

The question then recurred on Mr. Stephens' motion to postpone.

Mr. Wilson demanded the yeas and nays, and the motion was lost. Yeas 26; nays 48.

Those who voted in the affirmative are, Messrs. Banks, Beck, Benbow, Benham, Bradford, Caffey, Cox, Freeman, Glover, Gonder, N. S. Graham, Henshaw, Holley, F. S. Jackson, J. W. W. Jackson, M. A. King, Lea, Liddell, McMullen, Pettey, Shorter, Sterrett, Snowden, Wallace, Watkins and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Bennett, Boon, Brown, Bulger, Bussey, Byrd, Campbell, Carlisle, Cooper, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham, Hall, Hendree, Howard, Jones, Kavanaugh, Porter King, Majors, Manasco, McAllister, McCaskill, McCollum, Nicks, Oates, Pool, Prentice, Reaves, Robinson, Rowe, Shelley, John Smith, W. M. Smith, Staton, Stone, Walker, Warren, Webb and Wilson.

The question then recurred on Mr. Cox's motion to lay on the table, and was lost.

Mr. N. S. Graham moved to amend by striking out "Selma" and inserting "Wetumpka."

Mr. M. A. King moved a division of the question.

Mr. Cooper moved to refer the bill to a select committee to be composed of one member from each judicial circuit, which was lost.

The question then recurred on Mr. N. S. Graham's motion to amend.

Mr. Byrd demanded the previous question.

Mr. Shorter demanded the yeas and nays, and the call was sustained. Yeas 42 ; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Bennett, Bradford, Brown, Bussey, Byrd, Campbell, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham, Hendree, Henshaw, Howard, Jones, M. A. King, Porter King, Majors, Manasco, McCaskill, Nicks, Oates, Pettey, Pool, Prentice, Robinson, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Stone, Walker, Warren, Webb and Wilson.

Those who voted in the negative are, Messrs. Ashley, Banks, Beck, Benbow, Boon, Bulger, Caffey, Carlisle, Gooper, Cox, Freeman, Glover, N. S. Graham, Hall, Holley, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Lea. Liddell, McAllister, McCollum, McMullen, Moss, Presley, Rowe, Shelley, Shorter, Jno. Smith, Snowden, Wallace, Watkins and Williamson.

And on ordering the bill to be engrossed for a third reading,

Mr. Shorter demanded the yeas and nays,and the House refused to order said bill to a third reading. Yeas 38 ; nays 40.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Beck, Bennett, Boon, Brown, Bussey, Byrd, Campbell, Coleman, Critcher, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham, Jones, M. A. King, Porter King, Majors, Manasco, McCaskill, McCollum, Nicks, Oates, Prentice, Rowe, W. M. Smith, Staton, Stephens, Sterrett, Stone, Walker, Warren, Webb and Wilson.

Those who voted in the negative are, Messrs. Allen, Ashley, Banks, Benbow, Benham, Bradford, Caffey, Carlisle, Cooper, Cox, Freeman, Glover, Gonder, N. S. Graham, Hall, Hendree, Henshaw, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Lea, Liddell, McAllister, McMullen, Moss, Pettey, Pool, Presley, Reaves, Robinson, Shelley, Shorter, John Smith, Snowden, Wallace, Watkins, P. Williams and Williamson.

Mr. Williamson introduced a bill to aid in the construction of the Montgomery South Plankroad, which was read, and

Mr. Stephens moved to lay the bill on the table, which was lost, and the bill was ordered to a second reading.

Mr. Byrd introduced a bill to authorise a majority of the Judges of the Supreme Court to hear and determine cases, which was read, and the constitutional rule being suspended, was read a second time forthwith, and

On motion of

Mr. Wallace, was referred to the Judiciary Committee, with instructions to report thereon on to-morrow, at 10 o'clock, A. M.

Mr. Ashley moved to reconsider the vote by which the House on this morning refused to order to a third reading the bill to remove the seat of government from Mongomery to Selma.

Mr. Shorter demanded the yeas and nays, and the motion prevailed. Yeas 43; nays 32.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Beck, Bennett, Boon, Bradford, Brown, Bulger, Bussey, Campbell, Coleman, Cooper, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Earnest, Glover, Goldsby, W. C. Graham, Jones, Kavanaugh, M. A. King, Porter King, Majors, Manasco, McCaskill, McCollum, Nicks, Oates, Prentice, Robinson, Rowe, W. M. Smith, Staton, Stephens, Stone, Walker, Wallace, Warren, Webb and Wilson.

Those who voted in the negative are, Messrs. Allen, Ashley, Banks, Benbow, Caffey, Carlisle, Cox, Freeman, Gonder, N. S. Graham, Hall, Hendree, Henshaw, Holley, Howard, J. W. W. Jackson, Lea, Liddell, McAllister, McMullen, Moss, Pettey, Pool, Presley, Reaves, Shelley, Shorter, John Smith, Snowden, Wallace, Watkins and Williamson.

On motion of

Mr. Nathaniel Davis, the vote by which the call for the previous question herein was sustained was reconsidered, and

Mr. Byrd, by leave, withdrew said call.

Mr. William P. Davis moved to refer said bill to a select committee, to be composed of one member from each congressional district, with instructions to report thereon within a week from this day.

Mr. Shorter moved its reference to the Committee on the State Capitol. Said motion was lost.

The question recurring on the motion of Mr. W. P. Davis,

Mr. Price Williams called for a division of the question, which was first taken on the proposed instruction to said committee and carried, and then on the reference of said bill and carried.

Said committee consists of Messrs. W. P. Davis, Byrd, Moss, Earnest, Stone, W. C. Graham and Wilson.

Mr. Lea presented the petition of sundry merchants of the town of Marion, asking the repeal or modification of the act in relation to trading with slaves, which was read and ordered to be filed with the bill on the subject matter of said petition.

Mr. Beck introduced a bill to authorise the administrators of Martin Morgan, deceased, to sell certain lands in Wilcox county, which was read, and the constitutional rule being suspended, was read the second time forthwith and ordered to be engrossed for a third reading.

Mr. McAllister, from the Committee on the Military, reported back the bill to establish a company beat in the county of DeKalb. Said bill was ordered to be engrossed for a third reading.

Mr. Presley, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named, and

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported a bill exempting millers from working on roads.

Said bills were severally read and ordered to a second reading.

Mr. M. A. King, from the Committee on Corporations, reported adversely to the several bills of incorporation below named, upon the ground that the bill to reform the evils arising from local legislation affords the means of obtaining the object sought by said bills:

The bill to incorporate the town of McKinley, in Marengo county.

Mr. Byrd moved to lay the report on the table. Said motion was lost, and the report was concurred in.

To incorporate Parnassus Academy in Lowndes county. The report was concurred in.

To incorporate the Brewersville Academy. Said report and bill were, on motion of Mr. Webb, laid on the table.

To incorporate the town of North Port. Said report and bill were, on motion of Mr. Wallace, laid on the table.

To incorporate Orrville Institute. Said report and bill were, on motion of Mr. Bussey, laid on the table.

To incorporate the town of Maysville. Said report and bill were, on motion of Mr. Kavanaugh, laid on the table.

To incorporate the Rockford Masonic Male and Female Institute.

Mr. N. S. Graham moved to lay the report on the table. The motion was lost and the report concurred in.

To incorporate the Gaston Institute.

Mr. Liddell moved to lay the report on the table. Said motion was lost and the report concurred in.

To incorporate the Burnsville Male and Female Academy.

Mr. Cooper moved to lay the report on the table.

Mr. Price Williams demanded the yeas and nays thereon, and the motion prevailed. Yeas 46; nays 18.

Those who voted in the affirmative are, Messrs. Speaker. Allen, Armstrong, Ashley, Banks, Beck, Benbow, Bulger, Bussey, Byrd, Caffey, Carlisle, Coleman, Cooper, J. W. Davis, Nath. Davis. Nich. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham, Hall, Holley, Howard. J. W. W. Jackson, Lea, Liddell, Manasco, McAllister, McCaskill, Oates, Pool, Presley, Reaves, Robinson, Shelley. Shorter. W. M. Smith, Staton, Sterrett, Snowden, Stone, Walker, Wallace, Watkins and P. Williams.

Those who voted in the negative are, Messrs. Benham, Bennett, Boon, Bradford, Brown, Critcher, Gonder, Henshaw, M. A. King, Porter King, McCollum, McMullen, Nicks, Prentice, John Smith, Webb, Williams and Wilson.

And the bill was ordered to be engrossed for a third reading.

Mr. Shelley (by leave) offered the following resolution:

Resolved, That the use of the Hall of the House of Representatives be granted to the friends of agriculture called "with a view of the improvement and developement of that important branch of industry," on Wednesday, the 7th inst., at 7 o'clock, P. M.; and to J. A. Watterson, on the evening of the 5th inst., for the purpose of exhibiting the improvement of his deaf and dumb pupils.

Pending which, the hour of 1 P. M. having struck, the House adjourned.

AFTERNOON SESSION, January 2, 1852.

The House met pursuant to adjournment.

The question recurred on the adoption of the resolution pending when the House adjourned on this morning, and the resolution was adopted.

Mr. M. A. King, from the Committee on Corporations, reported adversely to the bill to incorporate the Lowndesboro' Female Institute.

On motion of

Mr. Liddell, the report was laid on the table and the bill ordered to be engrossed for a third reading.

Mr. M. A. King, from the same committee, reported adversely to the bill to incorporate the Masonic Female College at Auburn.

On motion of

Mr. Liddell, the report was laid on the table and the bill placed among the orders.

Mr. M. A. King, from the same committee, reported adversely to the bill to incorporate the town of Jefferson, in Marengo county.

Mr. Glover moved to lay the report on the table.

Mr. Nicks demanded the yeas and nays on laying the report on the table, and the motion was lost. Yeas 25; nays 37.

Those who voted in the affirmative are, Messrs. Armstrong, Banks, Brown, Bulger, Byrd, Caffey, Carlisle, Cooper, J. W. Davis, Earnest, Glover, W. C. Graham, Howard, Lea, Liddell, Majors, Manasco, McAllister, Moss, Oates, Reaves, Rowe, Shorter, Snowden and Watkins.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Beck, Benham, Benbow, Boon, Bussey, Coleman, Cox, Critcher, Nathaniel Davis, W. P. Davis, Freeman, N. S. Graham, Henshaw, F. S. Jackson, Jones, Kavanaugh, M. A. King, Porter King, McCaskill, McMullen, Nicks, Pettey, Pool, Prentice, John Smith, W. M. Smith, Staton, Stephens, Sterrett, Warren, Webb, Williamson and Wilson.

The House refused to concur in the report, and the bill was ordered to be engrossed for a third reading.

Mr. M. A. King, from the Committee on Corporations, reported back the bill to repeal in part an act to amend the laws in relation to the town of Demopolis, and to amend the laws of said town, with an amendment, which was concurred in by the House, and the bill ordered to be engrossed for a third reading.

Mr. M. A. King, from the Committee on Corporations, reported to the House the following bills without amendment:

To incorporate the Mobile Temperance Hall Association:

To amend the act incorporating the town of Orion, in Pike county:

To amend an act incorporating the Alabama and Mississippi Railroad Company:

To amend the charter of the Merchant's Insurance Company of Mobile:

To amend the charter of the Mobile Medical Society:

To incorporate the Grand Temple of Alabama and its subordinates &c.:

To incorporate the Preacher's Aid Society of the Methodist Episcopal Church South:

Which were severally ordered to be engrossed for a third reading.

Mr. M. A. King, from the same committee, reported adversely to the bill to incorporate the Baptist Female Institute at Moulton.

On motion of

Mr. W. C. Graham, said report was laid on the table and the bill placed among the orders.

Mr. Nicholas Davis moved to reconsider the vote by which the House on this morning refused to a select committee the removal of the seat of government from Montgomery to Selma. Said motion was lost.

The House then proceeded to the consideration of the orders of the day.

The question then recurred on Mr. Bank's motion to postpone the bill from the Senate, to provide a keeper for the State House at Montgomery, until Monday next.

Mr. Wilson demanded the yeas and nays thereon and the motion prevailed. Yeas 36; nays 35.

Those who voted in the affirmative are, Messrs. Ashley, Banks, Benbow, Benham, Byrd, Caffey, Carlisle, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover, W. C. Graham, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley, Shelley, John Smith, Snowden, Walker, Wallace, Warren, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Beck, Bennett, Boon, Bulger, Bussey, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, N. S. Graham, Howard, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, P. Williams and Wilson.

Mr. Glover, by leave, offered the following amendment to the rules of the House, which lies over one day:

Rule 45. After a motion to postpone any question pending before the House to a day certain is taken and lost, it shall not be in order to move to postpone to a shorter period, unless the time be stated or notice given of such motion before the vote is taken on the longest period.

Mr. Wallace, by leave, offered the following amendment to the rules of the House, which lies over one day:

Rule 46. Messages from the Senate shall be taken up for consideration as soon as the question pending before the House at the time of their reception is disposed of.

On motion of

Mr. Shelley, the bill to incorporate the town of Maysville, in the county of Madison, was taken from the table and ordered to be engrossed for a third reading.

The engrossed bills:

To prevent the erection of telegraphic wires across the public roads of this State, except on certain conditions:

For the relief of Mary C. Waters:

For the relief of John Woddell and Delilah Narramore:

Were severally read the third time and passed.

On motion of

Mr. Glover, the bill for the relief of Stephen Williamson, of Covington county, was postponed till Tuesday next, and made the special order for the hour of 12 M. of said day.

The bill to alter and amend the law in relation to the taxation of costs in the supreme court was read the second time and referred to the Committee on the Judiciary.

The following message was received from his Excellency the Governor, by Mr. Harrison, his private secretary:

Mr. Speaker: His Excellency the Governor has approved bills which originated in the House of Representatives of the following titles, to-wit:

An act to amend an act to incorporate the Marine Dock and Railway Company of Mobile, approved February 11, 1848:

An act to regulate the pay of petit jurors in the county of Covington:

An act to repeal an act approved 26th January, 1846, declaring certain persons liners between the counties of Fayette and Walker:

An act to authorise the building a court house in the county of Montgomery, and for other purposes:

An act for the relief of Elsberry Fails:

An act for the relief of Thomas H. Nelson, tax collector of the county of Perry:

An act for the relief of David Campbell.

And the House adjourned till 10 o'clock, to-morrow morning.

JANUARY 3, 1852.

The House met pursuant to adjournment.

Mr. Williamson moved to reconsider the vote by which the House on yesterday concurred in the report on the bill to incorporate the town of McKinley, in Marengo county.

The motion prevailed and the bill was ordered to be engrossed for a third reading.

Mr. Henshaw moved to reconsider the vote by which the House concurred in the report adverse to the bill to incorporate the Rockford Masonic Male and Female Institute:

The motion prevailed, and on motion of

Mr. N. S. Graham, the report and bill were laid on the table.

Bills were introduced by:

Mr. Hendree, to change an election precinct in the county of Chambers.

Mr. Snowden, to regulate the issuing of license to retail spirituous liquors in the county of Covington:

Mr. Watkins, to provide for the pay of jurors in certain cases in the county of Franklin:

Mr. S. Williams, for the relief of William C. McIver, administrator of W. W. McLester:

Mr. Moss, to authorise Martin Pond, administrator of Lewis W. Pond, to compromise bad and doubtful debts. &c.:

Mr. Liddell, to aid the Alabama and Tennessee river railroad company:

Mr. Bulger, to amend an act to regulate the appointment of administrators of insolvent estates, aprroved February 17th, 1848:

Which were severally read and ordered to a second reading.

Bills were introduced by:

Mr. Pettey, for the relief of Hannah H. Hudson, of Franklin county:

Mr. Rowe, for the relief of Miles Whilis:

Which were severally read, and the constitutional rule being suspended, were severally read the second time and referred to he Committee on Propositions and Grievances.

Mr. Stephens introduced a bill for the relief of J. M. Gullate, late tax collector of Jackson county, which was read, and the constitutional rule being suspended, was read a second time forthwith.

Mr. Hall moved to amend by adding "the representatives of William H. Bryant, of Autuaga county," which was adopted.

Mr. Manasco moved to amend by adding the name of John B. Romine, of Walker county, which was lost and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

Mr. Critcher presented the petition of James W. Fewell and others, which was referred to the Committee on Internal Improvement.

Mr Prentice introduced a bill to prevent camp hunting in the county of Shelby, which, on motion of Mr. Bennett, was laid on the table.

Mr. Rowe presented the account of Brittan and De Wolf, which was referred to the Committee on Accounts.

Mr. Banks presented the petition of J. P. Turner and others, which was referred to the Committee on Propositions and Grievances.

Mr. Walker, from the Committee on the Judiciary, made the following report, which was concurred in:

The Committee on the Judiciary, to whom was referred a bill relating to the appointment of guardians in certain cases, have had the same under consideration and instruct me to report the same back to the House with the accompanying amendment and recommend its passage.

R. W. WALKER,
Chairman.

Said bill was ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, reported adversely to the following bills:

The bill to abolish jury trials in forcible entry and detainer and unlawful detainer:

To authorise coroners and justices of the peace on holding inquests to call in medical aid when necessary:

To repeal an act to prevent the sacrifice of real estate:

To authorise Stephen F. Hall and Samuel S. Earle, guardians, &c., to sell real estate. And

Mr. Wallace, from the same committee, reported adversely to the following bills:

The bill to authorise a majority of the members of the Supreme Court to hear and determine cases:

The bill to require witnesses summoned to attend the trial of any cause in the courts of this State continually to attend from term to term, after having been once subpœned: and

Mr. Webb, from the same committee, reported adversely to the following bills:

The bill to amend the law relating to the duties of executors and administrators:

To amend the stray laws:

To alter and amend proceedings in chancery.

Said reports were severally concurred in.

Mr. Walker, from the same committee, reported back the bill to reform the evils of local legislation. And

Mr. Walker, from the same committee, reported back the following bills:

The bill to authorise judges of the probate courts to correct mistakes in their courts:

To alter the mode of selecting grand jurors of the county of Tuscaloosa. And

Mr. Webb, from the same committee, reported back the bill in relation to duties of registers or masters in chancery without amendment.

Said bills were severally read and ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, reported adversely to the bill authorising the appointment of a guardian for the property and estate of Tachone Herndon. And on motion of

Mr. Stone, the bill and report were laid on the table.

Mr. Price Williams, by leave, introduced joint resolutions opposing the principle of intervention with foreign powers, which were read and referred to the Committee on Federal Relations.

Mr. Wallace, from the Committee on the Judiciary, reported a substitute for the bill to alter and amend the law in relation to the taxation of costs in the supreme court, which was adopted and ordered to be engrossed for a third reading.

Mr. Pettey, from the Committee on the Military, reported back the bill to authorise the Governor to furnish arms to the Tuskegee Classical and Scientific Institute, in Macon county, without amendment. And

Mr. Bulger, from the same committee, reported back the bill to authorise the Governor to furnish cadet muskets to Gibson F. Hill's military academy with an amendment.

Said amendments were severally adopted and the bills ordered to be engrossed for a third reading.

Mr. Stephens, from the Committee on Propositions and Grievances, reported a bill to compensate certain persons therein named, which was read and ordered to a second reading.

Mr. Walker, from the Committee on the Judiciary, reported adversely to the resolution requiring the committee to enquire into the expediency of increasing the number of chancellors and providing for semi-annual terms of the chancery court, which was concurred in.

Mr. Walker, from the same committee, reported adversely to the resolution instructing them to enquire into the constitutionality and expediency of authorising commissioners' courts to establish and abolish election precincts, inasmuch as the new code provides for the question involved in the resolution, and, on motion of

Mr. Hall, the report was laid on the table.

Mr. Walker, from the Committee on the Judiciary, made the following report, which was concurred in:

The Committee on the Judiciary, to whom was referred two resolutions submitted to the House, one instructing the Committee on Apportionment to be governed by the federal census in ascertaining the number of whites in the counties of Madison and Morgan, and the other instructing the same committee to adopt the corrected census as to the county of Madison as certified by the clerk of the circuit court of said county, and also the certificate referred to in the last named resolution, have had the several matters embraced in said resolutions and certificates under consideration, and instruct me to report:

That, in the opinion of the committee, the adoption of the first named resolution, and an apportionment made according to the instructions contained in it, are plainly forbidden by the ninth section of the third article of the constitution of Alabama, according to which the apportionment of representatives among the several counties must be based upon the census taken under the authority of the State.

In referrence to the second resolution and the certificate therein referred to, the committee are of opinion that, waiving the question whether any other returns can be looked to for the purpose of ascertaining the population of any county except the returns made to the Secretary of State, as directed by the act of the last session providing for taking the State census, said certificate is not sufficient evidence that any mistake exists in the returns made by the census taker of Madison county to the Secretary of State.

Your committee, therefore, recommend the reception of said resolution.

R. W. WALKER, *Chairman.*

Mr. Pettey, from the Committee on Corporations, to whom a certain bill to be entitled an act to prevent the retailing of ardent spirits in Fayetteville beat was referred. have had the said bill under consideration; and whereas, said committee have been highly impressed with the importance of the biblical injunction to "take a little wine for the stomach's sake." and fully appreciate the wisdom of a certain wise man of olden times when he spake as follows: "Give strong drink to him that is ready to perish and wine unto those that be of heavy heart, let him drink and forget his poverty and remember his misery no more," and the more recent reiteration of the same by the favorite bard of Scotland, which may be found in the late edition of his works in the following words of his unrivalled music, to-wit:

> "Give him strong drink until he wink,
> That's sinking in despair,
> And liquors quid to fire his blood,
> That's pressed with grief and care."

And whereas, also, said committee have the misfortune to know and lament that the State of Alabama is greatly indebted by bills, bonds, notes and other evidences of debt; and whereas, moreover, the committee have been informed and duly advised that a certain act entitled an act, &c., approved, &c., was passed at the last session of the general assembly of this State with a clause inserted therein making the retailing of spirituous liquors taxable by way of license, for the purpose of raising a revenue sufficient to pay the expenses of the State government and meet as far as practicable the interest and principal of said indebtedness.

And whereas, in addition to all this, the committee are satisfied, from an examination of the late report of F. S. Lyon, bank commissioner and trustee, that the amount yet to be realised from the assets of the State bank and branches will fall far short of paying the indebtedness aforesaid; and moreover that the State will require all the means she can command by taxing not only the property of the citizens but the luxuries and special privileges of vending the same.

And whereas, more especially and particularly, the committee are opposed to creating the necessity for the good people of Fayetteville beat, who are fond of the article, to keep their jugs, bottles, &c., concealed so as to produce in each family an absolute monopoly in the use of spirituous and other liquors, greatly to the injury, annoyance and disquietude of their social boon companions.

Now, therefore, said committee, in the name of all foregoing whereases, and under a sense of the great weight of responsibility that rests upon them in the premises, do, in virtue of the authority in them vested, empower and instruct me to report that it is altogether inexpedient to pass said bill, and it is accordingly done. See last.

The committee expresses the hope that hereafter no member of the House who desires harmony and good feeling among the members, will, by the introduction of bills upon spiritual subjects, mar the happiness or disturb the quietude of our deliberative body. The committee does not believe in "spiritual rappings or knockings."

Afternoon Session, January 3, 1852.

The House met pursuant to adjournment, and resumed the consideration of the report made by Mr. Pettey in the forenoon.

Mr. Hall moved to lay the report on the table.

Mr. McCollum demanded the yeas and nays thereon, and the motion prevailed. Yeas 41; nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Ashley, Banks, Boon, Bulger, Bussey, Byrd, Campbell, Carlisle, Coleman, Cooper, J. W. Davis, Nich. Davis, W. P. Davis, Earnest, Glover, Hall, Hendree, Jones, Kavanaugh, M. A. King, Porter King, Lea, Majors, Manasco, McAllister, Moss, Pool, Robinson, Shorter, W. M. Smith, Stephens, Sterrett, Snowden, Wallace, Warren, Watkins, Webb, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Beck, Benbow, Bradford, Caffey, Cox, Crutcher, Nath. Davis, Goldsby, Holley, F. S. Jackson, Liddell, McCollum, McMullen, Nicks, Oates, Pettey, Prentice, Reaves, John Smith and S. Williams.

Mr. Hall moved to lay the bill on the table, and said motion prevailed.

Mr. Armstrong, from the Committee on the Sixteenth Section Fund, reported back the bill to provide for the issuing of the patents for certain lands therein named, with an amendment by an additional section, which was adopted and the bill ordered to be engrossed for a third reading.

Mr. Armstrong, from the same committee, reported adversely to the bill for the relief of William Bussey, and the petition of certain citizens of Monroe county. Said reports were severally concurred in.

Mr. Nathaniel Davis, from the Committee on the State Bank and Branches, reported back the bill for the benefit of township twenty-two, range twenty-four, east, in Tallapoosa county. Said bill was ordered to be engrossed for a third reading.

The bill from the Senate to enlarge the jurisdiction of the probate court, and for other purposes, was read the second time and referred to the Committee on the Judiciary.

The following resolution from the Senate, transmitted by Mr. Kidd, in lieu of the two resolutions from this House, was concurred in:

Resolved, That the members of the Senate and House of Representatives will meet in convention in the hall of the House on Wednesday, the 7thday of January inst., at 11 o'clock A. M., for the purpose of electing two judges of the supreme court, and that in making said election, the vote shall be given for one judge only at the same time.

The rule offered by Mr. Wallace on yesterday was taken up.

Mr. Nathaniel Davis moved to amend by striking out the latter clause and inserting "at three P. M. of each day." Said amendment was adopted and the rule as amended was also adopted.

The —— offered by Mr. Glover on yesterday was called up and withdrawn by him.

Mr. Hall, by leave, offered the following resolution:

Resolved, That the Committee on the Sixteenth Section Fund be instructed to enquire into the expediency of paying the county treasurers for services in paying out the interest on sixteenth section funds.

Mr Hall offered the following resolution:

Resolved, That the Committee on the Sixteenth Section Fund be instructed to report a bill authorising the commissioners of sixteenth sections to make any surplus interest in their hands or due their respective townships principal.

Mr. Hall moved to postpone its consideration till Monday next, and to be made the special order for the hour of 11 of said day.

Mr. Manasco moved to postpone till the first Monday in February, and the motion was carried.

The engrossed bills:

To incorporate the Lowndesboro' Female Institute:

To amend the act incorporating the town of Orion, in Pike county:

To extend the charter of the Mobile Medical Society:

To establish a company beat in the county of DeKalb:

To incorporate the Barksville Male and Female Academy:

To repeal in part an act to amend the laws in relation to the town of Demopolis, and to amend the laws of said town:

To authorise the administrator of Martin Morgan, deceased, to sell certain lands in Wilcox county:

Were severally read the third time and passed.

The joint resolutions from the Senate, expressive of the sense of the general assembly of Alabama in relation to the policy to be pursued by our government in its intercourse with foreign nations transmitted by Mr. Kidd, were read.

Mr. Wesley M. Smith moved to amend by adding after "Representatives and Senators" "and to the Governors of each State and Territory," which was lost.

Mr. Manasco moved to lay the joint resolutions on the table, which was lost.

Mr. Hall demanded the yeas and nays on their adoption and the resolutions were adopted. Yeas 64; nays 2.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Beck, Benham, Bennett, Boon, Bradford, Byrd, Caffey, Campbell, Carlisle, Coleman, Cooper, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Glover, Goldsby, N. S. Graham, Hall, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Majors, McAllister, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Pettey, Pool, Prentice, Rowe, Shorter, John Smith, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Walker, Wallace, Warren, Watkins, Webb, P. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Cox and Manasco.

The bill for the relief William K. Paulding, of Marengo county, was read the second time and referred to the Committee on the State Bank and Branches.

The bill to incorporate the Baptist Female Institute at Moulton was read the second time.

Mr. Armstrong moved to amend by an additional section, which was adopted, and the bill ordered to be engrossed for a third reading.

The bills:

To incorporate the Salem Male and Female Academy in Jefferson county:

To extend the power and authority of the intendant and council of the town of Livingston:

Were severally read the second time and referred to the Committee on Corporations.

The bill to define and regulate the liability of the Montgomery and West Point railroad company was read the second time and referred to the Committee on the Judiciary.

The bills:

To incorporate the town of Maplesville, in Bibb county:

For the relief Thomas G. Cole, of the county of Choctaw:

Were severally read the second time and ordered to be engrossed for a third reading.

A bill to amend an act to incorporate the town of Huntsville was read the second time and referred to the Committee on Corporations.

The bill to submit the penitentiary system to the voice of the people was read the second time and referred to the Committee on the Penitentiary.

The bill to change the name of certain persons therein named, and for other purposes, was read the second time.

Mr. Beck moved to amend by an additional section, which was adopted.

Mr. Manasco moved an amendment, which was adopted, and then the bill was ordered to be engrossed for a third reading.

The House then adjourned until Monday morning, at 10 o'clock.

JANUARY 5, 1852.

The House met pursuant to adjournment.

Mr. Shorter introduced a bill to authorise the county of Barbour to subscribe for railroad stock, which was read, and the constitutional rule being suspended, was read a second time forthwith and ordered to be engrossed for a third reading.

Mr. Allen introduced a petition to establish an election precinct at the Sulphur Springs, in the county of Benton, which was read and referred to the Committee on Privileges and Elections.

Bills were introduced by:

Mr. Snowden, for the relief of Wm. D. Collins, of the county of Covington:

Mr. Benbow, to establish an election precinct at Centre Store, in Lauderdale county:

Mr. S. Williams authorising Joseph C. Cunningham, of Macon county, to pay to the school commissioners for township 14, range 25, in said county, the interest due on his notes given for school lands in said township:

Mr. Bennett, authorising certain persons to construct dams across Wills' Creek:

Mr. Bennett, to establish a turnpike road in the county of St. Clair:

Mr. Liddell, to regulate the liability of persons to work on public roads in Talladega county:

Which were severally read and ordered to a second reading.

Mr. Boyd moved to reconsider the vote by which the House on Saturday ordered to a third reading the bill to incorporate the Baptist Female Institute at Moulton. Said motion prevailed.

Mr. Nicks moved to reconsider the vote by which the House on the same day adopted the amendment offered by Mr. Armstrong to said bill.

Mr. Woolsey presented the petition of A. M. Goodwin and others, which was referred to a select committee composed of the delegates from Tallapoosa and Mobile.

Mr. Woolsey presented the petition of Jones & Co. and others, which was referred to the Committee on the Judiciary.

Mr. McCollum introduced a bill for the better regulation of presentments before grand juries in this State, which was read and ordered to a second reading.

Bills were introduced by:

Mr. Jones, for the benefit of the children of W. W. Paschal and Phereby, his wife, of Greene county:

Mr. Earnest, to authorise judges of probate and others to take bonds in certain felonies, and for other purposes:

Mr. Whitsitt, authorising Elizabeth Hines, of Sumter county, to invest the moneys of the estate of Charles A. Hines, dec'd:

Mr. Beck, in relation to lost wills and testaments and the execution of the power therein contained:

Which were severally read, and the constitutional rule being suspended, were read the second time and referred to the Committee on the Judiciary.

Mr. Jones introduced a bill to authorise the commissoners' court of Pickens county to pay to E. G. Bryan a sum of money, which was read, and the constitutional rule being suspended, was read a second time forthwith, and ordered to be engrossed for a third reading.

Mr. Earnest introduced a bill for the purpose of removing the obstructions in the Cahaba river, which was read and ordered to a second reading.

Mr. Byrd presented the account of P. A. Savage, which was referred to the Committee on Accounts.

Mr. P. Williams introduced a bill to require clerks of circuit and chancery courts and judges of probate to keep reversed indexes, and for other purposes, which was read, and the constitutional rule being suspended was read a second time and referred to the Committee on Ways and Means.

Mr. Ashley presented the petition of citizens of Brooklyn, Conecuh county, which was referred to the Committee on Corporations.

Mr. Price Williams presented a joint memorial to the Congress of the United States, asking an appropriation of land to complete a geological survey of this State, which was read and adopted.

Mr. Walker, from the Committee on the Judiciary, reported back the bill to appoint a receiver of the two and three per cent. funds without amendment, and the bill was ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, reported adversely to the following bills:

The bill to provide for the comfort of State prisoners:

Concerning registers in chancery:

To regulate the pay of witnesses in certain cases:

And the petition of citizens of Benton and Cherokee counties.

Said reports were severally concurred in.

Mr. Shorter, from the Committee on the Judiciary, reported substitutes for the following bills, which were adopted and the bills ordered to engrossed for a third reading:

In relation to the burnt records of Coffee county:

Prescribing the duties of justices of the peace and constables in the collection of costs.

Mr. Walker, from the Committee on the Judiciary, reported back the bill to compel chancellors to hold their courts. Said bill was ordered to be engrossed for a third reading.

Mr. Goldsby moved to reconsider the vote by which the House on Saturday ordered to a third reading the bill to provide for the issue of patents for certain lands therein mentioned, and by which the amendment to said bill was adopted.

The hour of 11 A. M. having arrived, the House resumed the consideration of the joint resolutions approving the course of W. R. King and Jere. Clemens in the Senate of the United States.

Mr. Cooper moved to lay the amendments offered by Mr. Campbell and Mr. N. S. Graham on the table, and demanded the yeas and nays, and said motion prevailed. Yeas 48; nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Beck, Benbow, Benham, Boon, Bussey, Byrd, Caffey, Carlisle, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Prentice, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Walker, Wallace, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Bennett, Boon, Bulger, Campbell, Clements, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W.

C. Graham, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool. Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Whitsitt, P. Williams and Wilson.

Mr. Brown moved to reconsider the vote just taken.

Mr. McMullen demanded the yeas and nays, and the motion was lost. Yeas 26: nays 59.

Those who voted in the affirmative are, Messrs. Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Reaves, Robinson, W. M. Smith, Stone, Tarrant, Whitsitt and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks. Beck, Benbow, Benham, Bennett, Boon, Bradford. Bussey, Byrd. Caffey, Carlisle, Clements, Cooper, Critcher, Nathaniel Davis. Nich. Davis, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea. Liddell, McCollum. Moss, Nicks, Oates, Pettey, Pool, Prentice, Presley. Price. Roper, Rowe, Shelley, Shorter, John Smith, Staton, Stephens, Sterrett, Snowden, Walker, Wallace, Warren, Watkins, Webb, P. Williams. Williamson and Woolsey.

Mr. Boon moved to lay the resolution on the table.

Mr. Wilson demanded the yeas and nays, and the motion was lost. Yeas 30; nays 56.

Those who voted in the affirmative are, Messrs. Bennett, Boon, Brown, Bulger, Bussey, Coleman, Cox, J. W. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham. Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister. McCaskill, McMullen, Pool, Price, Reaves, Robinson, Rowe, Shorter, Stephens, Stone, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Beck, Benbow, Benham, Bradford, Byrd, Caffey, Campbell. Carlisle, Clements, Cooper, Critcher, Nathaniel Davis. Nich. Davis. Earnest, Freeman, Glover, Gonder, W. C. Graham. Henshaw. Holley. F. S. Jackson. Kavanaugh, M. A. King. Lea. Liddell, Majors, Moragne, McCollum. Moss, Nicks. Oates, Pettey, Presley, Roper. Shelley, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Mr. N. S. Graham moved to amend as follows:

"*Provided*, That nothing herein contained shall be construed into an approval of the so called compromise measures or into a censure of the votes of Messrs. Harris, Inge, Bowden and Hubbard, members of Congress from said State, during the pending of said measures in the House of Representatives of the Congress of the United States.

And provided further, That it be not understood that we approve the votes of said Senators upon the Texas boundary question."

Mr. M. A. King moved to lay said amendment on the table.

Mr. Wilson demanded the yeas and nays, and the motion prevailed. Yeas 49; nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Beck, Benbow, Benham, Bradford, Byrd, Caffey, Carlisle, Clements, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Moragne, McCollum, Moss, Nicks, Oates, Pettey, Presley, Roper, Shelley, John Smith, Staton, Sterrett, Snowden, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Bennett, Boon, Brown, Bulger, Bussey, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Howard, J. W. W. Jackson, Jones, Porter King, Majors, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Whitsitt, P. Williams and Wilson.

Mr. Wilson moved to amend as follows:

Resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That we approve the votes given by the Hon. Wm. R. King and the Hon. Jere. Clemens, our Senators in Congress, on the final passage in the United States Senate of the following bills:

1st. The bill for the admission of California as a State into the Union:

2d. The bill abolishing the slave trade in the District of Columbia:

3d. The fugitive slave bill:

4th. The bill for the organization of a territorial government in Utah:

5th. The New Mexico and Texas boundary bill.

Mr. Webb moved the previous question.

Mr. Nathaniel Davis (in the chair) decided said motion out of order.

Mr. Byrd appealed from the decision of the chair, and the chair was not sustained.

Mr. Shorter demanded the yeas and nays on the call for the previous question, and the call was sustained. Yeas 48; nays 39.

Those who voted in the affirmative are, Messrs. Speaker, Allison. Armstrong, Ashley. Banks, Beck, Benbow, Benham. Bradford, Byrd, Caffey. Carlisle, Clements, Cooper, Nich. Davis. Earnest, Freeman, Glover, Gonder, Henshaw, Holley, F. S. Jackson, Kavanaugh. M. A. King. Lea, Liddell, Moragne. McCollum, Moss, Nicks. Oates, Pettey, Presley, Roper. Shelley, John Smith, Staton, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, P. Williams, S Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Bennett, Boon, Brown, Bulger. Bussey, Campbell, Coleman, Cox, J. W. Davis, W. P. Davis, Gladney, N. S. Graham, Hall. Howard. J. W. W. Jackson, Jones, Porter King, Manasco, McAllister, McCaskill, McMullen, Pool. Prentice. Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith. Stephens, Sterrett, Stone, Tarrant, Whitsitt and Wilson.

And on the adoption of the joint resolution, Mr. Shorter demanded the yeas and nays.

Mr. Stone called for a division of the question, and the vote was first taken on the first resolution and the same was adopted. Yeas 50; nays 35.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Ashley, Banks, Beck, Benbow, Benham, Bradford, Byrd, Caffey, Campbell, Carlisle, Clements, Cooper. Critcher, Nich. Davis, Earnest, Freeman, Glover, Gonder, W. C. Graham, Henshaw, Holley, F. S. Jackson. Kavanaugh. M. A. King. Lea, Liddell, McCollum, Moss, Nicks. Oates. Pettey, Presley, Roper, Shelley, John Smith. W. M. Smith. Staton, Sterrett. Snowden, Walker, Wallace, Warren, Walton. Watkins. Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are. Messrs. Allen, Bennett, Boon, Bulger, Bussey, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham. Hall, Howard, J. W. W. Jackson, Jones. P. King, Manasco, McAllister, McCaskill. McMullen, Pool. Prentice, Price, Reaves, Robinson, Rowe, Shorter, Stephens, Stone, Tarrant, Whitsitt, P. Williams and Wilson.

The vote was then taken on the second resolution, and the same was adopted. Yeas 56; nays 30.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Beck, Benbow, Benham, Boon. Bradford, Brown, Byrd, Caffey, Carlisle, Clements, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover. Gonder, W. C. Graham, Henshaw. Holley, F. S. Jackson, Kavanaugh, M. A.

King, Lea, Liddell, Majors, McCollum, Moss, Nicks, Oates, Pettey, Prentice, Presley, Reaves, Roper, Shelley, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Bennett, Bulger, Bussey, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham. Hall, Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister, McMullen, Pool, Price, Robinson. Rowe. Shorter. Stephens, Tarrant, Whitsitt, P. Williams and Wilson.

The vote was then taken on the third resolution.

Mr. W. P. Davis demanded the yeas and nays thereon, and the resolution was adopted. Yeas 48; nays 38.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Ashley, Banks, Beck. Benbow, Benham, Bradford, Byrd. Caffey. Carlisle. Cooper, Critcher. Nich. Davis, Earnest, Freeman, Glover, Gonder, W. C. Graham. Henshaw, Holley, F. S. Jackson. Kavanaugh, M. A. King. Lea, Liddell. McCollum, Moss, Nicks, Oates, Pettey. Presley, Roper. Shelley, John Smith, W. M. Smith, Staton. Sterrett, Snowden, Walker, Wallace. Walton, Warren. Watkins. Webb, S. Williams. Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Armstrong, Bennett, Boon, Brown, Bulger, Bussey, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham. Hall, Howard, J. W. W. Jackson, Jones, P. King, Manasco, McAllister, McCaskill, McMullen, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, Stephens, Stone, Tarrant, Whitsitt, P. Williams and Wilson.

Mr. Seaborn Williams then moved the adoption of said joint resolutions as a whole, and demanded the yeas and nays thereon and said resolutions were adopted. Yeas 50; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Armstrong, Ashley, Banks, Beck, Benbow. Benham, Bradford, Byrd, Caffey, Carlisle, Clements, Cooper, Critcher, Nich. Davis, Earnest, Freeman, Glover, Gonder, W. C. Graham, Henshaw, Holley, F. S. Jackson. Kavanaugh, M. A. King, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley. Roper, Shelley, John Smith, W. M. Smith, Sterrett. Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Bennett, Boon, Brown, Bulger, Bussey, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis. Goldsby, N. S. Graham, Hall, Howard, J. W. W. Jackson. Jones, Porter King, Manasco, McAllister, McCaskill, McMullen, Pool, Price, Reaves, Robinson, Rowe. Shorter, Stephens, Stone, Tarrant, Whitsitt, P. Williams and Wilson.

Before the amendment of said vote, the hour of one P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 5, 1852.

The House met pursuant to adjournment.

Mr. Speaker announced the vote taken on this forenoon on the motion of

Mr. Seaborn Williams, to adopt as a whole the resolutions approving the course of Wm. R. King and Jere. Clemens in the Senate of the United States.

Mr. Shorter moved to amend the caption of said joint resolutions by striking out the caption as reported and inserting in lieu thereof,

"Joint resolutions approving the votes given by the Hon. Wm. R. King and the Hon. Jere. Clemens, Senators in Congress from this State, on the final passage of the adjustment measures in the last Congress of the United States.

Said amendment was adopted, and the caption as amended was adopted.

The House then proceeded to the consideration of the special order for this hour, it being the bill from the Senate to provide a keeper for the State House at Montgomery.

Mr. Nathaniel Davis moved to amend by way of engrossed ryder as follows:

SEC. 5. That the said officer shall give bond and security for the faithful discharge of the duties of his office, which bond shall be approved by the Governor in the sum of $300, and also, take and subscribe the oath in the first section of the sixth article of the constitution of this State.

On motion of

Mr. Lea, the said amendment was laid on the table.

Mr. Oates moved to suspend the further consideration of said bill, with a view of taking from the table the House bill on the same subject.

Mr Wilson demanded the yeas and nays thereon, and the motion was lost.

Mr. Nathaniel Davis demanded the yeas and nays on the passage of the bill, and the bill passed. Yeas 48; nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Beck, Boon, Bulger, Bussey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, W. C. Graham, Hall, Henshaw, Howard, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Pool, Prentice, Price, Reaves, Roper, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Stone, Tarrant, Walker, Warren, Watkins, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Ashley, Banks, Benham, Byrd, Caffey, Carlisle, Cooper, Critcher, Freeman, Glover, Holley, M. A. King. Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley. John Smith, Snowden, Wallace, Walton, Webb, S. Williams, Williamson and Woolsey.

Mr. Nathaniel Davis moved to reconsider the vote just taken, and

Mr. Cooper demanded the yeas and nays thereon, and the motion was lost. Yeas 11; nays 64.

Those who voted in the affirmative are, Messrs. Allison, Carlisle, Cooper, Critcher, Kavanaugh, M. A. King, McCollum, Walton, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Beck, Benham, Boon, Bradford, Bulger, Bussey, Byrd, Caffey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Earnest, Freeman, Glover, W. C. Graham, Hall, Henshaw, Holley, Howard, J. W. W. Jackson, Jones, P. King, Lea, Liddell, Majors, Manasco, Moragne, McAllister, McMullen, Moss, Nicks, Oates, Pool, Prentice, Price, Reaves, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams and Wilson.

The House then proceeded to the consideration of the messages of the Senate transmitted by Mr. Kidd.

The joint resolutions in relation to slavery and the compromise measures were read.

Mr. Nathaniel Davis moved their reference to the Committee on Federal Relations, with instructions to have one hundred copies thereof printed.

Mr. Hall moved to postpone their further consideration until Thursday after the third Monday in January instant.

Mr. Rowe called for the previous question.

Mr. F. S. Jackson demanded the yeas and nays thereon, and the motion was sustained. Yeas 47; nays 34.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Ashley, Banks, Benham, Boon, Bradford, Bulger, Bussey, Campbell, Clements, Coleman, J. W. Davis, Nich. Davis, W. P. Davis, Goldsby, N. S. Graham, W. C. Graham, Hall, Howard, J. W. W. Jackson, Jones, P. King, Lea, Majors, Manasco, McAllister, McMullen, Oates, Pool, Price, Reaves, Robinson, Rowe, Shorter, John Smith, Staton, Sterrett, Snowden, Stone, Tarrant, Walton, Warren, P. Williams, S. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Beck, Byrd, Caffey, Carlisle, Cooper, Cox, Critcher, Nathaniel Davis, Gladney, Glover, Henshaw, Holley, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Nicks, Pettey, Presley, Roper, Shelley, W. M. Smith, Stephens, Walker, Wallace, Watkins, Webb, Whitsitt, Williamson and Woolsey.

Mr. Sterrett moved to reconsider the vote just taken.

Mr. Hall demanded the yeas and nays thereon, and the motion was lost. Yeas 38; nays 43.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Byrd, Caffey, Carlisle, Clements, Cooper, Critcher, Nath. Davis, Nich. Davis, Earnest, Freeman, Glover, Henshaw, Holley, F. S. Jackson, Jones, M. A King, Lea, Liddell, McCollum, Nicks, Pettey, Roper, Shelley, John Smith, W M. Smith, Sterrett, Snowden, Tarrant, Walker, Wallace Walton Watkins, Webb, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Banks, Benham, Boon, Bulger, Bussey, Campbell, Coleman, J. W. Davis, W. P. Davis, Gladney, N. S. Graham W. C. Graham, Hall, Howard, J. W. W. Jackson, Kavanaugh, P. King, Majors, Manasco, Moragne, McAllister, McCaskill McMullen, Moss, Oates, Pool, Prentice, Presley, Price, Reaves, Robinson, Rowe, Shorter, Staton, Stephens, Stone, Warren, Whitsitt, P. Williams and Wilson.

Mr. Byrd called for a division of the question on the adoption of the resolutions.

Mr. Henshaw demanded the yeas and nays on the adoption of the first of the series.

Pending which, the hour of five having arrived, the House adjourned.

TUESDAY, January 6, 1852.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Mr. Hall introduced a bill to establish the McGehee College, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Education.

Mr. Hall, from the Committee on Apportionment, reported a substitute for the bill to apportion the senators and representatives among the several counties of the State.

Mr. Shelley moved to postpone the whole subject until Tuesday next, at 11 o'clock, and to be made the special order for said hour, and that one hundred and thirty-three copies of the bill and substitute be printed for the two Houses, and the motion prevailed.

The Speaker laid before the House a communication from the Governor inclosing a communication from the Secretary of the Interior.

Said documents were referred to the Committee on Agriculture.

The bill from the Senate to amend an act to incorporate the Montgomery and Tuscaloosa Plankroad Company was read, pending which, the hour of 11 o'clock having arrived, the House proceeded to the special order of the day, it being a bill from the Senate to make a donation of the State capitol at Tuscaloosa.

The question recurrred on ordering said bill to a third reading.

Mr. Byrd moved to amend by way of substitute as follows:

That the Governer shall be and he is hereby authorised to sell the State capitol at Tuscaloosa, after giving thirty days notice in some newspaper at that place; and the proceeds of said sale shall be applied to the education of the children in the townships which have valueless sixteenth sections.

Mr. Shelley moved to refer the bill and substitute to the Committee on Education.

Mr. Bulger moved to instruct said committee to report a bill giving said house to the Female Institute at Athens.

Mr. W. M. Smith moved to lay the bill and the substitute on the table.

Mr. Manasco moved to postpone the whole subject until the third Monday in January, which was lost.

Mr. Henshaw moved a division of the question, which was first taken on the motion to lay the substitute on the table.

Mr. W. M. Smith demanded the yeas and nays, and the motion prevailed. Yeas 66; nays 25.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Ashley, Banks, Beck, Benham, Booth, Bradford, Bussey, Caffey, Carlisle, Clements, Cooper, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N. S. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Lea, Liddell, McCaskill, McCollum, Moss, Oates, Pettey, Phillips, Pool, Prentice, Price, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Turner. Watkins, Wallace, Walton, Watkins, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Armstrong, Benbow, Bennett, Boon, Brown, Bulger, Byrd, Campbel, Coleman, Cox, Critcher, J. W. Davis, Gouder, W. C. Graham, Majors, Manasco, McMullen, Nicks, Presley, Reaves, Staton, Stephens, Warren and Wilson.

The vote was then taken on the motion to lay the bill on the table, and the motion was lost. Yeas 29; nays 63.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Benbow, Boon, Bennett, Brown, Bulger, Byrd, Campbell, Coleman, Cox, Critcher, Gonder, W. C. Graham, Kavanaugh, Manasco, Moragne, McCollum, McMullen, Pool, Presley, Price, Reaves, Staton, W. M Smith, Stephens, Warren and Wilson.

Those who voted in the negative are, Messrs. Allen, Ashley, Banks, Beck, Benham, Booth, Bradford, Bussey, Caffey, Carlisle, Clements, Cooper, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N. S. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, M. A. King, Lea, Liddell, Majors, McCaskill, Moss, Nicks, Oates, Pettey, Phillips, Prentice, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Mr. Nathaniel Davis moved to amend as follows:

Be it enacted, &c., That the Governor be authorised and required, after giving three months notice in a newspaper published in Mobile, one in Tusacloosa, one in Montgomery, and one in Huntsville, to cause to be sold to the highest bidder for cash, or on twelve months credit, with sufficient security, the old capitol at Tuscaloosa; and the net proceeds of said sale shall be by him paid over, one-half to the trustees of the University, to be applied to a geological survey of the State under the direction of Professor Tuomey or his successor, and the other half to the trustees of the Methodist Female Institute at Athens, in Limestone county, to be applied solely to the purpose of liquidating the debt contracted in the building and furnishing said institution.

Mr. Cooper demanded the previous question.

Mr. Stephens demanded the yeas and nays thereon, and the motion prevailed. Yeas 63; nays 24.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Ashley, Banks, Beck, Benbow, Benham Booth, Bussey, Caffey, Carlisle, Clements, Coleman, Cooper, J. W. Davis, W. P. Davis, Gladney, Glover, Goldsby, N. S. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, M. A. King, Porter King, Lea, Liddell, Moragne, McCaskill, Moss, Oates, Pettey, Phillips, Pool, Prentice, Price, Robinson, Roper, Rowe, Shorter, John Smith, Staton, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Armstrong, Boon, Brown, Bulger, Byrd, Cox, Critcher, Nathaniel Davis, Nich. Davis, Gonder, W. C. Graham, Kavanaugh, Majors, Manasco, McCollum, McMullen, Nicks, Presley, Reaves, Shelley, W. M. Smith, Stephens, Warren and Watkins.

The question then recurred on ordering the bill to a third reading.

Mr. Critcher demanded the yeas and nays thereon. and the bill was so ordered. Yeas 56; nays 33

Those who voted in the affirmative are, Messrs. Allison, Ashley, Banks, Beck, Benham, Booth, Bradford, Bussey, Caffey, Carlisle, Clements, Cooper, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, M. A. King, Porter King, Lea, Liddell, McCaskill, Moss, Oates, Pettey, Phillips, Pool, Prentice, Robinson, Roper, [illegible], Shorter, John Smith, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Benbow, Bennett, Boon, Brown, Byrd, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nich. Davis, Gonder, W. C. Graham, Kavanaugh, Majors, Manasco, Moragne, McCollum, McMullen, Nicks, Presley, Price, Rowe, Shelley, W. M. Smith, Staton, Stephens, Warren, Watkins, and Wilson.

Mr. Gonder by leave offered the following resolution, which was adopted:

Resolved, That the Committee on Agriculture be instructed to enquire into the expediency of reporting a bill making the Governor *ex officio* president of the State Agricultural Society, in the event that one is formed.

Also, into the propriety of making an annual appropriation for the purpose of awarding premiums on agricultural products, mechanical skill and inventions, articles of female industry, and the raising of various kinds of stock.

The hour of 1 o'clock having arrived, the House adjourned.

AFTERNOON SESSION, January 6, 1852.

The House met pursuant to adjournment.

The bill from the Senate to amend the act to incorporate the Montgomery and Tuscaloosa Plankroad Company was ordered to a second reading.

A bill to aid in the construction of the Montgomery South Plankroad was read the second time and referred to the Committee on Internal Improvement.

The House then resumed the consideration of the joint resolutions from the Senate on the subject of slavery and the compromise measures.

The question recurred on the adoption of said resolutions, pending which the hour of 5 P. M. having arrived, the House adjourned until to-morrow morning, at 10 o'clock.

JANUARY 7, 1852.

The House met pursuant to adjournment.

Bills were introduced by:

Mr. Booth, to increase the fees of the clerk of the circuit court of Baldwin county:

Mr. Booth, to authorise the sheriff of Baldwin county to execute constables' duty in civil cases:

Mr. Moragne, to amend the road law in this State in the county of Cherokee:

Mr. P. Williams, to regulate the transfer of stock in banks, insurance companies and railroads:

Mr. Moss, to charter the Montgomery Insurance Company:

Mr. Moss, to amend the city charter of Montgomery:

Mr. Bennett, declaring a certain road therein named a public highway:

Mr. Roper, to provide for the building a new court house in the county of Shelby:

Mr. Sterrett, to incorporate a Male and Female Academy at Rehoboth, in the county of Wilcox.

Said bills were severally read and ordered to a second reading.

Mr. Ashley introduced a bill to provide for the settlement of debts due from the purchasers of school lands in township eight, range eleven, in the county of Conecuh, which was read and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Sixteenth Sections.

Mr. Cox presented the petition of the probate judge of Coosa, which was referred to the Committee on the New Code.

Mr. Snowden introduced a bill to exempt road workers from toll, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Roads, Bridges and Ferries.

Mr. Boon introduced a bill to amend the revenue law, which was read, and the constitutional rule being suspended, was read forthwith and referred to the Committee on Roads, Bridges and Ferries.

Mr. Boon introduced a bill to amend the revenue law, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Ways and Meams.

Mr. McCollum introduced a bill to establish an election precinct at the house of Wm. R. Crews, in Fayette county, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Privileges and Elections.

Mr. Freeman introduced a bill to authorise the judge of probate of Pike county to divide the estate of Elias Kibby, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on the Judiciary.

Mr. Hopkins presented the petition of J. F. Heifton, *et al.*, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. Rowe presented the petition of A. D. Sturdivant, *et al.*, which was referred to the Committee on Internal Improvement.

The following message was received from the Governor by Mr. Harrison, his private secretary:

Mr. Speaker: His excellency the Governor has approved bills which originated in the Senate of the following titles, to-wit:

An act to incorporate the Coosa and Chattooga River Railroad Company:

An act to require the judge of probate and commissioners of roads and revenue of the county of Walker to lay off said county into commissioners' districts:

A joint memorial to dispose of certain lands therein named:

An act to amend the charter of the town of Summerville:

An act for the relief of Alexander Kelly, of Coosa county:

An act to provide for the payment of jurors in Tallapoosa county:

An act to divorce certain persons therein named:

An act to incorporate the Tuscaloosa Marine and Fire Insurance Company:

Mr. Allison, from the Committee on the Judiciary, reported adversely to the bill in relation to testimony before justices of the peace.

Mr. McMullen moved to lay the report on the table. The motion was lost, and the report concurred in.

Mr. Carlisle, from the Committee on Ways and Means, reported back the bill from the Senate to authorise the comptroller of the State to issue his warrant on the treasury for excess of taxes paid by James A. Chapman, a non-resident tax payer, without amendment, and the bill was ordered to a third reading.

Mr. Lea, from the Committee on Ways and Means, reported back the bill to incorporate the Alabama Direct Trade and Exchange Company without amendment, and on motion of

Mr. Cooper, the consideration of said bill was postponed and made the special order for the hour of 11 o'clock on to-morrow.

Mr. Lea, from the same committee, reported back the bill to prevent willful evasions of the revenue laws of this State without amendment, and the bill was ordered to be engrossed for a third reading.

Mr. Jones, from the same committee, reported back the bill to repeal in part a certain act therein mentioned, and for other purposes, without amendment, and on motion of

Mr. Jones, the bill and report were laid on the table.

Mr Price Williams, from the same committee, reported back the bill for the relief of John H. Gee and Moses Johnson, late tax collectors in Sumter and Shelby counties, without amendment. Said bill was ordered to a third reading.

Mr. Pettey, from the Committee on the Military, reported a substitute for the bill to authorise the Mobile Rifle Company to exchange public arms now in their possession for certain others therein described, which was adopted and the bill ordered to be engrossed for a third reading.

Mr. Goldsby, from the Committee on Propositions and Grievances, reported adversely to the following petitions, which reports were severally concurred in, viz:

The petition of William Stewart:

The petition of William Matherney: and

The petition of Samuel Devongh and others.

Mr. Goldsby, from the same committee, reported adversely to the bill for the relief of Stephen A. Kersey.

Mr. Benbow moved to lay the report on the table, which was lost, and then the report was concurred in.

Mr. Reaves, from the same committee, reported adversely to the bill to authorise Elias Davis to build a mill on Black Warrior river, in the county of Walker.

Mr. Manasco moved to lay the report on the table, and the motion prevailed.

Mr. Cooper moved to amend as follows:

"*Provided further*, That said dam shall not prevent the navigation of said river," which was adopted, and then the bill was ordered to be engrossed for a third reading.

Mr. Shelley, from the Committee on Divorce and Alimony, reported a bill to divorce Jones Evitt from his wife Nancy Evitt, and to divorce Sarah Reese from her husband John C. Reese, which was read and ordered to a second reading.

The Senate, by invitation, appeared within the hall of the House, and the two Houses in convention proceeded to the election of two judges for the supreme court, George Goldthwaite being alone in nomination for the fourth judgeship.

Messrs. McCollum, Pettey, John Smith and Walton voted for Mr. Peck, the remainder of the Senators and Representatives voted for Mr. Goldthwaite, and he having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected Judge of the Supreme Court for the term prescribed by law.

For the fifth judgeship, John D. Phelan, A. R. Manning and L. P. Walker were in nomination.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Flewellin, Garrett, Kelly, Malone, Mathews, Pearson, Storrs, Toulmin, Walker and Winston, of the Senate—12. Messrs. Adams, Allen, Bennett, Boon, Brown, Bulger, Clements, Colemam, Cooper, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, Nicks, Pool, Prentice, Price, Reaves, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson, of the House—40: 12—52.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke, Gunn, Johnson, Leslie, O'Neal, Perrin, Stephenson, Saunders, Tarrant and Watrous, of the Senate—13. Messrs. Allison, Ashley, Banks, Benbow, Booth, Byrd, Caffey, Campbell, Carlisle, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, McCollum, Moss, Presley, Roper, Shelley John Smith, Sterrett, Snowden, Wallace, Walton, S. Williams, Williamson and Woolsey, of the House—32: 13—45.

Those who voted for Mr. Walker are, Messrs. Fleming, James, Jones, Patton and Ricks, of the Senate—5. Messrs. Speaker, Armstrong, Austin, Beck, Benham, Bradford, Bussey, Critcher, Nich. Davis, W. C. Graham, Hall, Henderson, Howard, Liddell, McMullen, Oates, Pettey, Phillips, Robinson, Rowe, Shorter, W. M. Smith, Walker, Watkins and Webb, of the House—25: 5—30.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Garrett, Kelly, Malone, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—10. Messrs. Adams, Allen, Austin, Bennett, Roon, Bulger, Clements, Coleman, Cooper, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Henderson, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, McCallister, McCaskill, Nicks, Pool, Prentice, Price, Reaves, Rowe, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson, of the House—43: 10—53.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke; Gunn, Johnson, Leslie, O'Neal, Perrin, Stephenson, Saunders, Tarrant and Watrous, of the Senate—13. Messrs. Allison, Ashley, Banks, Benbow, Booth, Byrd, Caffey, Campbell, Carlisle, Critcher, James, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Presley, Roper, Shelley, John Smith, Sterrett, Snowden, Wallace, Walton S. Williams, Williamson and Woolsey—34: 13—47.

Those who voted for Mr. Walker are, Messrs. Fleming, James, Jones, Patton and Ricks, of the Senate—5. Messrs Armstrong, Beck, Benham, Bradford, Bussey, Nich. Davis, W. C. Graham, Hall, Howard, McMullen, Oates, Pettey, Phillips, Robinson, Shorter, W. M. Smith, Walker, Watkins and Webb, of the House—20: 5—25.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a third time.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Garrett, Kelly, Malone, Mathews, Pearson Storrs, Toulmin and Walker, of the Senate—10. Messrs. Adams, Allen, Austin Bennett, Boon, Brown, Bulger, Bussey, Clements, Coleman, Cooper, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, N S Graham, Henderson, J. W. W. Jackson, Jones, P. King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, Nicks Pool, Prentice, Price, Reaves, Rowe, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, P. Williams and Wilson—43: 10—53.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke Flewellin, Gunn, Johnson, Leslie, O'Neal, Perrin, Stephenson, Saunders, Tarrant, Watrous and Winston, of the Senate—15. Messrs Allison, Ashley, Banks, Benbow, Booth, Byrd, Caffey, Campbell, Carlisle, Critcher, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, M'Collum, Moss, Presley, Roper, Shelley, John Smith, Sterrett, Snowden, Wallace, Walton, S. Williams, Williamson and Woolsey, of the House—33: 15—48.

Those who voted for Mr. Walker are, Messrs. Fleming, James, Jones and Patton, of the Senate—4. Messrs. Speaker, Armstrong, Beck, Benham, Bradford, Nicholas Davis, Earnest, W. C. Graham. Hall, Howard, McMullen, Oates, Pettey. Phillips, Robinson, Shorter, W. M. Smith, Walker, Watkins, Webb and G. W. Williams, of the House—21: 4—25.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a fourth time.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Garrett, Kelly, Malone, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—10. Messrs. Adams, Allen, Austin, Beck, Boon, Brown, Bulger, Bussey, Clements, Coleman, Cooper, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Goldsby, Hendree, J. W. W. Jackson, Jones, P. King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, Nicks, Phillips, Pool, Prentice, Price, Reaves, Rowe, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams and Wilson, of the House—43: 10—53.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke, Flewellin, Gunn, Johnson. Leslie, O'Neal, Perrin, Stephenson, Saunders, Tarrant and Watrous, of the Senate—14. Messrs. Allison, Ashley, Banks, Benbow, Booth, Byrd, Caffey, Campbell, Carlisle, Critcher, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Presley, Robinson, Roper, Shelley, John Smith, Sterrett, Snowden, Wallace, Walton, S. Williams, Williamson and Woolsey, of the House—35: 14—49.

Those who voted for Mr. Walker are, Messrs. Fleming, James, Jones, Patton and Ricks, of the Senate—5. Messrs. Speaker, Armstrong, Benbow, Bradford, Nich. Davis, W. C. Graham, Hall, Howard, McMullen, Oates, Pettey, Shorter, W. M. Smith, Walker, Watkins, Webb and P. Williams, of the House—17: 5—22.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a fifth time.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Garrett, Jones, Kelly, Malone, Mathews, Pearson, Storrs, Toulmin and Walker, of the Senate—11. Messrs. Adams, Allen, Austin, Beck, Bennett, Boon, Brown, Bulger, Bussey, Clements, Coleman, Cooper, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Gladney, Goldsby, N. S. Graham, Henderson, J. W. W. Jackson, Jones, P. King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, Nicks, Phillips, Pool, Prentice, Price, Reaves, Rowe, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt and Wilson, or the House—45: 11—56.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke, Flewellin, Gunn, Johnson, Leslie, O'Neal, Perrin, Stephenson, Saunders, Tarrant, Watrous and Winston, of the Senate—15. Messrs. Allison, Ashley, Banks, Benbow, Booth, Byrd, Caffey, Campbell, Carlisle, Critcher, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Presley, Robinson, Roper, Shelley, John Smith, Sterrett, Snowden, Wallace, Walton, S. Williams, Williamson and Woolsey, of the House—34: 15—49.

Those who voted for Mr. Walker are, Messrs. Fleming, Jones, Patton and Ricks, of the Senate—4. Messrs. Speaker, Armstrong, Benham, Bradford, Nich. Davis, W. C. Graham, Hall, Howard, McMullen, Oates, Pettey, Shorter, W. M. Smith, Walker, Watkins, Webb, G. W. Williams and P. Williams, of the House—18: 4—22.

Neither of the candidates having received a majority of all the votes given the convention proceeded to ballot a sixth time.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Garrett, Jones, Kelly, Malone, Mathews, Pearson, Storrs, Toulmin and Winston, of the Senate—11. Messrs. Adams, Allen, Austin, Beck, Bennett, Boon, Brown, Bulger, Bussey, Clements, Coleman, Cooper, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, Henderson, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, Nicks, Phillips, Pool, Prentice, Price, Reaves, Rowe, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, P. Williams and Wilson, of the House—45: 11—56.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke, Flewellin, Gunn, Johnson, Leslie, O'Neal, Perrin, Stephenson, Saunders, Tarrant, Walker and Watrous of the Senate—15. Messrs. Allison, Ashley, Banks, Benbow, Booth, Byrd, Campbell, Caffey, Carlisle, Critcher, Earnest, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum Moss, Presley, Robinson, Roper, Shelley, John Smith, Sterrett, Snowden, Wallace, Walton, Webb, S. Williams, Williamson and Woolsey, of the House—36: 15—51.

Those who voted for Mr. Walker are, Messrs. Fleming, Jones, Patton and Ricks, of the Senate—4. Messrs. Speaker, Armstrong, Benham, Bradford, Nich. Davis, W. C. Graham, Hall, Howard, McMullen, Oates, Pettey, Shorter, W. M. Smith, Walker, Watkins and G. W. Williams, of the House—16: 4—20.

Neither of the candidates having received a majority of all the votes given, the convention proceeded to ballot a seventh time, the name of Mr. Walker being withdrawn.

Those who voted for Mr. Phelan are, Messrs. Aldridge, Frazier, Fleming, Garrett, Heflin, Jones, Kelly, Malone, Mathews, Pearson, Störrs, Toulmin and Winston, of the Senate—13. Messrs. Speaker, Adams, Allen, Armstrong, Austin, Beck, Bennett, Boon, Bradford Brown, Bulgér, Bussey, Clements, Coleman, Cooper, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, Goldsby, N. S. Graham, W. C. Graham, Hall, Henderson, Howard, J. W. W. Jackson, Jones, Porter King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Rowe, Shorter, W. M. Smith, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson, of the House—54: 13—67.

Those who voted for Mr. Manning are, Messrs. President, Bibb, Crenshaw, Cocke, Gunn, James, Johnson, Leslie, O'Neal, Perrin, Patton, Ricks, Stephenson, Saunders, Tarrant, and Watrous, of the Senate—16. Messrs. Allison, Banks, Benham, Benbow, Booth, Byrd, Caffey, Campbell, Carlisle, Critcher, Nich. Davis, Freeman, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Presley, Robinson, Roper, Shelley, John Smith, Sterrett, Snowden, Walker, Wallace, Walton, Watkins, Webb, S. Williams, Williamson and Woolsey, of the House—42: 16—58.

Mr. Earnest voted for Mr. Peck.

Mr. Phelan having received a majority of all the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected judge of the supreme court for the term prescribed by law.

The Senate then withdrew and the House proceeded to the consideration of the special order of the day, it being the bill to facilitate the preparation of causes in the supreme court.

On motion of

Mr. Byrd, the bill was amended by striking out "Marengo."

Mr. Phillips moved to amend as follows, which was adopted:

3. That the judges shall also hear arguments in the city of Mobile for the counties of Mobile, Baldwin, Washington, Choctaw, Wilcox, Monroe, Clarke and Marengo.

Mr. Gonder moved to lay the bill on the table, pending which, the hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 7, 1852.

The House met pursuant to adjournment.

A message was received from the Governor by Mr. Harrison, transmitting the second biennial report of Prof. Tuomey, State geologist. Said communication and report were referred to the Committee on Internal Improvement.

The House then resumed the consideration of the joint resolutions from the Senate on the subject of slavery and the compromise.

The question recurred on the adoption of the resolutions, pending which, the hour of 5 P. M. having arrived,

The House adjourned until to-morrow morning, at 10 o'clock.

THURSDAY, January 8, 1852.

The House met pursuant to adjournment.

Mr. Speaker laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Mr. Booth introduced a bill for the relief of Thomas T. Tunstall and others, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Propositions and Grievances.

Mr. Booth introduced a bill for the relief of T. C. Hall, late tax collector of Baldwin county, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Ways and Means.

Mr. Webb, by leave, offered the following resolution, which lies over one day:

Resolved, That the resolution from the Senate on the subject of slavery and the compromise, now the order of the day for 3 o'clock, be made the special order for the hour of half after 7 o'clock each evening until the debate on said resolutions shall be closed, and that the final vote shall be taken on the day after said debate shall close at the hour of half past 10 o'clock without further discussion.

The House then proceeded to the consideration of the orders of the day.

The engrossed bills:

To incorporate the town of Maplesville, in Bibb county:

To incorporate the Mobile Temperance Hall Society:

To amend the charter of the Merchants' Insurance Company of the city of Mobile:

Prescribing the duties of justices of the peace and constables in the collection of costs:

To incorporate the town of Maysville, in Madison county

In relation to the duties of registers or masters in chancery:

For the benefit of township 22, range 24, east, in Tallapoosa county:

Were severally read the third time and passed.

The engrossed bill to incorporate the Alabama and Mississippi River Railroad Company was read the third time and, on motion of

Mr. Nathaniel Davis, was laid on the table.

Mr. Phillips, from the Joint Committee on the New Code, by leave, made the following report:

The Joint Committee of both Houses, to which was referred the Report of the Commissioners appointed to codify the laws, and whose duty it was made to examine the Code and report "the most material changes" in the existing laws, and make such recommendations as might seem proper, have had the same under consideration and instructed me to report:

That they have carefully examined the whole Code, and that their labors have been diminished, and the time which otherwise would have been consumed, greatly abridged by the assistance of the commissioners who were invited to attend the meetings of the committee, for the purpose of pointing out the alterations in the existing laws contemplated by the Code, and stating the reasons for those alterations.

Before discharging the specific duty assigned to the committee, they would beg leave to bring to the notice of the General Assembly the general system or plan of arrangement which has been adopted by the commissioners, and which, in the opinion of the committee, combines simplicity, order and clearness. Insteads of the alphabetical arrangement hitherto in use, by which statute having no connection with or dependence on each other were necessarily thrown together without any arrangement or order, the Code which has been submitted by the commissioners is divided into four parts or general divisions. The first of these divisions contains the provisions applicable to the whole Code, which may properly be considered the key to its construction—those laws essential to State organization, such as its boundaries, sovereignty and jurisdiction; its political division into counties, congressional and senatorial districts; the legislative and executive departments; the various laws in relation to the public printing; the distribution of the Acts and Journals, the laws of the United States and other public documents; with the general rules applicable to State offices and officers; their oaths, bonds, the delivery of books, papers, property and money to their successors; and the mode of giving notice of vacancies occurring by death, resignation, or otherwise, from office. This division also embraces laws in relation to electors and elections by the people; the mode of conducting and the manner of contesting the same; the financial department of the State government, comprehending the duties of the comptroller and treasurer in relation to the finances of the State; the system and items of taxation, with the rules for the assessment and collection of the taxes, and the payment of the same into the treasury by the collectors and other officers; the administration of the public property belonging to the State, and of certain funds in which the State is interested. This division also comprehends the judicial organization of the State, including the supreme court and its officers, the chancery divisions, districts, courts of chancery and its officers, judicial circuits, circuit courts, and their officers, courts of probate, courts of county commissioners, justices of the peace, constables and attorneys; defines the general powers and duties of these officers, as well as the general and special jurisdiction of the several courts. It contains also the general laws in relation to county organization; the laws of the State in relation to education, comprehending township schools, the Univeristy of Alabama, and the formation of corporations for educational purposes; the various regulations of trade and commerce, as well as those laws properly appertaining to the internal police of the State, such as the regulation of slaves and free persons of color, strays, enclosures, and partition fences, roads, bridges, ferries and water courses.

The second division contains all laws relative to the acquisition, enjoyment and disposition of property, both real and personal, as also those relating to private rights, embracing conveyances of every description, the mode and manner of their acknowledgment and proof, recording, and rules as to their construction; the laws relating to private corporations, limited partnerships, interest, negotiable instruments; and for the preventing of frauds and perjuries; the whole body of statutory law applicable to the estates of decedents, including the laws regulating descents and distribution, wills, and the powers, duties, rights, and liabilities of executors and administrators; the domestic relations, embracing the relations of husband and wife, parent and child, guardian and ward, and master and slave; the statutory provisions in relation to escheats, salvage, waterworks and dams, and the redemption of real estate.

The third division is confined to proceedings in civil cases, and contains:

1. The proceedings in civil actions in courts of common law;
2. Special proceedings in certain cases;
3. Proceedings before Justices of the Peace;
4. Proceedings in Chancery;
5. Fees of officers in civil cases;

The first subdivision, or title of this part, relates to the parties, the mode of commencing suit, the execution and return of the summons, the arrest and bail of the defendant, the recovery of personal property in specie, real actions, actions for defamation, the pleading, the trial and its incidents, the general rules in relation to evidence, the mode of proceeding by subpœna and deposition, the examination of the parties, proceedings to perpetuate evidence and the demurrer to evidence, the removal of the trial, appeals from justices, costs, amendments, the revival of the judgments, executions, garnishments on judgments, and the limitation of actions.

Title second, on special proceedings in certain cases, relates to attachments at law returnable into the circuit court, trials of the right of property, summary judgments against sheriffs, coroners, tax collectors, attorneys and other defaulting officers, proceedings by sureties, actions to vacate charters and prevent intrusions into and usurpations of offices, proceedings for the purpose of enforcing mechanics' liens, the partition of lands, proceedings in admiralty, arbitration, the appointment and removal of trustees, insolvent debtors, and inquisitions of lunacy

Title third, on proceedings before justices, contains a summary of the powers and duties of justices in civil cases, summary judgments in justices' courts, proceedings in the trial of the right of property, attachments returnable before a justice, and of the action of forcible entry and detainer.

Proceedings in chancery, specifies the cases of which the court of chancery takes cognizance, prescribes its local jurisdiction-contains the rules in relation to the pleadings, amendments, exceptions, filing of papers, serving notice, the mode of taking testimony, the rules in relation to evidence in chancery causes, proceedings before the master and the mode of conducting the same, decrees *pro confesso*, bills of reviews, *ne exeat*, equitable attachments, and other writs of seizure, injunctions, the appointment of receiver, creditor's bills, appointment of trustees, issues out of chancery, and the rendition, lien, effect and enforcement of decrees, and the costs in that court.

This division also includes the fees and allowances to officers in civil cases, and appeals to the circuit and supreme courts.

The fourth division relates solely to crimes and their punishments, proceedings in criminal cases, jails and the penitentiary. It defines offences, prescribes their punishment; regulates the proceedings in relation to grand and petit juries; prescribes the limitation of proceedings; defines the local jurisdiction of indictable offences; contains all provisions for the binding over to court, and to keep the peace; the finding of indictments; the writ, bail and trial of the defendant: the necessary provisions as to appeals and writs of error in criminal cases; the statutory enactment in relation to reprieves, commutations and pardons; the writ of habeas corpus, and the proceedings thereon; all special proceedings of a criminal nature, including coroners' inquests, search warrants, vagrants, proceedings in cases of bastardy, absconding felons, and fugitives from justice.

This division also embraces all the provisions in relation to the organization and police of the penitentiary, the powers and duties of its officers, the removal of prisoners thereto, and the punishment of escapes therefrom; service of process on, and taking the testimony of convicts; the law in relation to jails, jailors and prisoners, with the fees and allowances to sheriffs and other officers in criminal cases.

The committee has deemed it necessary thus to present the plan which has been adopted by the commissioners in the execution of the duty assigned them, with a brief notice of the contents of each general division of the Code, beliving that from this course the general assembly would be the better prepared to act advisedly in relation to the Code, as also to understand and appreciate the advantages which this mode of arrangement possesses over the old system.

In relation to the changes which are proposed in the existing laws, the committee would direct the attention of the General Assembly to the fact manifested by an examination of the Code, that the laws of this State in force up to the close of the last session form the basis of the work reported by the Commissioners. In the cases in which those laws were imperfect, wanting in detail, or insufficient from any cause, to effect the results contemplated by them, the object has been to perfect, to supply existing deficiences, to extend the law so as to reach the mischief intended to be removed, and to give vigor, efficiency and system to the previous legislation of the State, rather than to effect radical changes in that legislation. In almost every page of the Code instances occur where statutes have been pruned of their redundances, where deficiences had been supplied and obscurities made clear. In many instances important, and in the opinion of your committee, beneficial changes have been made and the existing laws greatly improved, and in some cases the change has been radical.

In reporting the most material alterations proposed by the Code, the committee have deemed it the better course to bring them directly before the General Assembly, by reporting the section or sections making such changes in the language of the Commissioners, instead of giving what the committee may have regarded as the effect of that language; in those cases, however, where it would have been necessary, had this course been pursued without deviation, to have transcribed an entire chapter or articles, to avoid rendering the report too voluminous, the substance of such chapter or article has been given, and they submit herewith the accompanying statement, in which is incorporated all the changes proposed to be made by the code, which, in the opinion of your committee, can appropriately be characterised as "the most material." The General Assembly will readily perceive that an examination made by a legislative committee. (however careful and critical it may be,) is not the surest or most effectual mode of testing a work of this character. The only safe and reliable tests are time, the success or failure in practical operation of its various provisions, and the scrutiny which an enlightened public will give it when printed and distributed. The common law, the chancery system and the civil law, with their acknowledged imperfections, are nevertheless the result of the experience and learning of centuries. Experience has fully demonstrated that systems, apparently the most perfect in theory, are sometimes insufficient and useless in practice; while on the other hand, measures theoretically indefensible are sometimes found useful and profitable in their practical operations. However wise may be the improvements suggested in the Code, it will be difficult, if not impossible, to fully appreciate the prospective benefits to flow from them without a trial; while, on the other hand, its omissions and deficiencies, of which no work of human hands (no matter by how much wisdom and learning guided) can be entirely free, will be fully manifested only in the light of experience. The provisions of the Code are to a great extent dependent on each other, and so connected as to form a system; from this it results that it would be difficult for any one not intimately acquainted with it as a whole, to perceive the effect which a change of one part might have upon others, and how far it might mar the general arrangement, or to determine the consequences of striking out or inserting a section. Changing the Code by altering, adding to or striking out any of its provisions, unless done with the utmost deliberation and circumspection, and with a view to the entire work, would probably make it contradictory and repugnant in itself, and increase the difficulty of construction so as to materially impair its usefulness.

It is also to be considered that the work must be printed and distributed before it can go into operation, and therefore that its provisions can not be of force very long before the meeting of the next legislature. During the short period which must elapse after the promulgation of the Code and before the meeting of the next General Assembly, the merits of the work will to some extent be tested, its provisions thoroughly examined, its defects and omissions ascertained, and its advantages appreciated; and at the next session of the General Assembly such alterations may be made as are found necessary.

The public necessities have long required and the public voice long demanded in this State, a codification and reduction to a simple and intelligible system of the hitherto confused and undigested mass of our statute laws. To discharge this duty, men deservedly standing high for their ability and fidelity to public trusts, have been appointed; those men, with a full sense of the responsibility incident to their office, have prepared and presented to the General Assembly, at the expense of great labor, a work which they deem (justly as your committee think) adequate to meet the public expectation and to satisfy the public necessities. A work thus prepared is entitled to the full confidence, and claims the most favorable consideration at the hands of the General Assembly.

Influenced by these considerations, the committee is of the opinion that the present responsibility in the preparation of the Code should be left where the action of a prior legislature deposited it, and that the wisest course now to be pursued is to adopt the Code and order it to be printed for distribution among the citizens of the State, so that it may be deliberately examined and such changes only hereafter be proposed as are considered essential after the maturest reflection.

With this view, the Joint Committee respectfully submit the accompanying bill, and recommend its passage.

A. J. WALKER,

Chairman of the Committee on the part of the Senate.

The most material alterations of the existing law made by the Code.

SECTION 9. That when by any law a bond is required, an undertaking without seal is sufficient.

SEC. 67. Requires the attorney general to give bond in the sum of ($10,000) ten thousand dollars.

SEC. 126. Declares the obligatory effect of all official bonds upon the principal and securities therein, to extend.

1st. To any breach of the condition during the time the officer continues in office, or discharges any of the duties thereof.

2d. For the faithful discharge of such duties as may be required of the officer, by any law passed subsequently to the execution of the bond.

3d. o the extent of the injury caused by any wrongful act, committed under color of office, as well as the failure to perform, or the improper or neglectful performance of those duties imposed by law.

Sec. 128. That whenever an officer, required by law to give bond, acts under a bond which is not payable, approved and conditioned as prescribed by law, such bond is not void, but stands in the place of the official bond, subject, on its condition being broken, to all the remedies which the person aggrieved might have maintained on the official bond, executed, approved and filed according to law.

Article 6, page 29. Prescribes proceedings to compel the delivery of books, papers, property and money by public officers to their successors, for which in many instances no provision is made by the existing law.

Art. 2, page 35. Provides for the laying off each county in the State into election precincts by the court of county commissioners; to define their boundaries and appoint a place of voting therein; to number and record such election precincts, and not to change the same except on the first Monday in February, 1853, and every three years thereafter; with the necessary provisions for recording and giving notice of the formation of such precinct, the places of voting, and any alterations that may be made in the same.

Art. 5, page 48. Provides for the election of two justices of the peace and one constable for each election precinct.

Sec. 339. That in the case of a tie between electors for President and Vice President the Governor shall decide.

Chapter 7, page 63. Provides a general law for elections on amendments to the constitution.

Sec. 365. Declares that the comptroller has not authority in any case, unless expressly given by law, to receive any of the State revenue.

Sec. 368. That the fiscal year shall end on the thirtieth day of September. (Instead of the first day of November.)

Sec. 387. Exempts from taxation all insane persons and their property to the value of ($1000) one thousand dollars.

Sec. 388, 27th subdivision. Reduces tax on cards from fifty cents to ten cents.

Sec. 388, 34th subdivision. Imposes a tax on revolving pistols of two dollars, and reduces the tax on bowie-knives, and knives of like kind and description, to two dollars.

Sec. 390. Declares the tax year to be the year ending thirty-first day of August in each year.

Sec. 399. Provides that the judge of probate of each county must, on the first day of each circuit court, furnish the foreman of the grand jury with a list of all licenses granted within the two years preceding. (The present law only requires retailing licenses granted within the last twelve months.)

Art. 7, page 83. Provides rules for the assessment of the property of corporations. (No rules under the present law.)

Sec. 415. Provides for the appointment of tax assessors on the second Monday in August of each year. (Instead of the first Monday in January.)

Sec. 418. Makes it the duty of the assessor to assess persons, personal property and other items of taxation which are to be assessed by him, after the first of September and by the first day of the following January.

Sec. 422. That assessors must return their assessment books to the judge of probate by the first Monday in January. (Instead of the first day of August.)

Sec. 435. That the court of county commissioners must, on the second Monday in January in each year, set for the purpose of examining and correcting the assessment books. (Instead of the second Monday in August as under present law.)

Sec. 442. The tax collector's term commences from the first of March after his election. (Instead of the first of May.)

Sec. 446. That the tax collector must collect taxes by the first of September in each year. (Instead of first Monday in January.)

Sec. 454. That after the sale of real property for taxes, the tax collector must make out and deliver to each purchaser a certificate of purchase. (Instead of a deed.)

Sec. 456. Provides that if lands do not bring sufficient amount to pay taxes and expenses, to be bid off for, and the certificate of purchase to be made to the State, and delivered to the comptroller.

Sec. 458. That the collector must, within five days after the sale of lands for taxes, deliver to the judge of probate a statement showing the names of the purchasers, the purchase money, the lands sold to each purchaser, the amount of taxes and costs; which statement must be recorded by the judge of probate in book kept for that purpose, and if redeemed, the name of the person redeeming, and the amount paid, entered against the tract.

Sec. 459. Provides for the redemption of land sold for taxes by payment to be made to the judge of probate, or in case it is bid off by the State, to the comptroller.

Sec. 465. If not redeemed within two years, judge of probate to make title to purchaser, his heirs or assigns, by deed.

Sec. 479. Payment to be made into the State treasury by the first Monday in September. (Instead of the first Monday in January.)

SEC. 491. Allows for assessment on property which has escaped assessment any previous year twenty per cent. on the amount of tax when collected.

ART. 1, page 101. In relation to school lands, substitutes school trustees in the place of commissioners of the sixteenth sections, so that there are but one set of officers: provides for their election, and prescribes their duties as to the sale and lease of school lands.

SEC. 699. Extends the jurisdiction of justices to all actions founded on any wrong or injury, except slander, where the damages claimed do not exceed fifty dollars; and to all actions brought to recover specific property, where the value does not exceed fifty dollars.

Chapter 10, page 142. Provides for the admission of attorneys by the supreme, chancery, or circuit courts, prescribes their duties; and also makes provision for their removal or suspension.

SEC. 750. Incorporates counties, with power to sue and be sued in any court of record.

SEC. 756. Prescribes that the county jails must contain at least three apartments properly ventilated, so as to secure the health of prisoners: one for debtors, one for criminals, and one for females.

SEC. 811. Makes it the duty of the school trustees:

1st. To ascertain the number of persons between the ages of eight and twenty-one years residing in their township, and to enter the same on their books.

2d. To divide, if necessary, and their school funds are sufficient, their townships into convenient school districts.

3d. To establish in each school district, for at least three months in each year, a school for instruction in the common English branches: reading, writing, arithmetic, spelling, grammar and geography.

4th. To locate such schools with reference to the convenience of the inhabitants of the township or school district, and to make all contracts, purchases and payments for school houses, building, repairing and furnishing the same.

5th. To employ such teachers as they are satisfied are capable of teaching the branches heretofore specified, and they may employ teachers in other branches, but the remuneration for such must be by special tuition and not out of the school fund, and must not prejudice the advancement of the scholars in the English branches.

6th. At a special meeting, in each year, to apportion the annual rent of the school lands and the interest of the school funds, after deducting therefrom the actual expenses occasioned by the exercise of the powers confided to them, among the scholars between the ages of eight and twenty-one years actually attending the township school for three months during such year, to be paid to the teacher employed, if he has discharged his duty.

SEC. 813. Provides that when the school fund in any township is sufficient, the trustees may procure assistant teachers, or appropriate any surplus to the purchase of books or apparatus, or for the tuition in natural and experimental philosophy, agricultural chemistry, or other studies.

SEC. 814. That townships in which the school fund is too small to establish a separate school may unite with adjoining townships, and unite the funds of such townships in employing a teacher, locating the school with reference to the convenience of the inhabitants of the townships so united.

SEC. 15. That the trustees of the townships so united form a joint board, to control and direct the school funds of such townships.

SEC. 817. That if any township is unable, from the smallness of the school fund, or from the sparseness of population, to establish a school with any other township, the school fund of such township is to be apportioned between the scholars thereof actually attending a township school in any other township for three months in any one year, to be paid to the teacher on his affidavit, that such scholars, designating them by name, attended school for such length of time, and producing the certificate of the trustees of the township in which the school was taught, that he discharged his duty as a teacher.

Chapter 3, page 186. The appointment of patrols is given to the justices of the election precincts, instead of the captain of the beats.

SEC. 1249. Provides that all the conveyances of lands may be made by *instrument in writing*.

SEC. 1257. That the recording in the proper office of any conveyance of property which may be legally admitted to record operates as a notice of the contents of such conveyance without any acknowledgment or probate thereof.

SEC. 1261. That powers of attorney, or other instsuments conferring authority to convey property, may be proven or acknowledged in the same manner, and must be received as evidence to the same extent as conveyances.

SEC. 1265. That conveyances by married women of real property, stocks in incorporated companies, and shares in manufacturing associations, are inoperative unless attested by two witnesses or acknowledged in the mode and before an officer authorised to take acknowledgments of conveyances.

Sec. 1268. That when any person having an estate for life or years in personal property, removes to this State with such property, the conveyance creating such estate must be recorded in the county to which it is brought within twelve months thereafter; and if such property is removed to another county, then in such county within four months after its removal thereto, or such property must be taken to vest absolutely in such persons as to creditors and purchasers without notice.

Sec. --That personal property, conveyed in consideration of maariage, when the possession remains with the husband, or the husband and the wife, must be taken as the property of the husband, in favor of purchasers without notice and creditors; unless such conveyance is recorded in the county of the husband's residence, within twelve months after such possession commenced in this State, and if the husband removes to another county; within four months after such removal.

Sec. 1281. No estate in lands can be created by way of contingent remainder, but every estate created by any will or conveyance, which might have taken effect as a contingent remainder, or executory devise, has the same property and effects as the latter estate.

Sec. 49, 1287. When a remainder, created by deed or will is limited to the heirs, issue, or heirs of the body, of a person to whom a life estate in the same property is given, the persons who on the termination of the life estate are the heirs, issue, or heirs of the body, of such tenant for life, are entitled to take as purchasers, by virtue of the remainder limited to them.

Sec. 1293. No trust of estate for the purpose of accumulation only, can have any force or effect for a longer term than ten years, unless when for the benefit of a minor in being, at the date of the conveyance; or if by will, at the death of the testator; in which case the trust may extend to the termination of such minority.

Sec. 1294. That no leasehold estate can be created for a longer term than twenty years.

Sec. 1300. In all cases in which a payment has been or may be made, to a trustee authorised to receive the same, the person making such payment is not responsible for its application according to the trust, nor can any right or title derived from such trustee in consideration of such payment, be impeached on account of any misapplication of the same; unless it be made to appear that the person making such payment colluded with the trustee, or knew of his intention to waste or mismanage the fund.

Sec. 1305. Upon the death of a sole or surviving trustee of an express trust, the trust estate does not descend to his heirs or pass to his personal representatives.

Sec. 1312. No disposition by virtue of a power is void in law or equity, on the ground that it was more extensive than was authorised by the power, but every estate or interest thus created is valid so far as the same is conferred by the power.

Sec. 1316. When a disposition under a power is directed to be made between or among several persons, without specifying the sum or share to be allotted to each, all the persons designated are entitled to an equal proportion; but when the terms of the power import that the estate or fund is to be distributed between the persons só designated, in such manner or proportion as the trustee of the power may think proper, the distribution or apportionment made by such trustee cannot be impeached in law or equity, on the ground that it is unsubstantial, illusory or nominal.

Sec. 1317. If the trustee of a power, with the right of selection; dies, leaving the power unexecuted: its execution may be decreed in equity for the equal benefit of all the persons designated as the objects of the trust.

Sec. 1319. When a disposition under an appointment, or a power, is directed to be made to, or among the children of any person, without restricting it to any particular children, it may be exercised in favor of the grand children, or other descendants, of such person.

Sec. 1321. When lands are devised to several executors, or a naked power given them by will to sell, the survivor or survivors, and the acting executor or executors, when any one or more of them resigns, or refuses to act, or is removed by a court of competent jurisdiction, and also an administrator with the will annexed, has the same interest in, and power over such lands, for the purposes of making sale thereof, as the executors named in such will might have had.

Sec. 1322. When a power is vested in several persons, and previous to the execution one or more of such persons die, it may be executed by the surviv r or survivors.

Sec 1323. Every special and beneficial power is liable in equity to the claims of creditors, and the execution of the same may be decreed for their benefit.

Sec. 1467. All private corporations whose charters expire by their own limitation, or are annulled by forfeiture or dissolved for any other cause, exist as bodies corporate for the term of five years after such dissolution, for the purpose of prosecuting or defending suits by or against them, settling their business, disposing of their property and dividing their capital stock; but not for the purpose of continuing the business for which they have been or may be established.

Sec. 1510. No person within this State must be charged as an acceptor of a bill of exchange unless his acceptance is in writing signed by himself or agent.

Sec. 1511. An unconditional promise in writing to accept a bill before it is drawn, amounts to an actual acceptance.

Sec. 1520. In all cases where notice of the non-acceptance of a bill of exchange, or non-payment of a bill of exchange, promissory note, or other negotiable instrument, is given by sending the same by mail, it is sufficient if such notice is directed to the place where the person sought to be charged by such notice, resided at the time of making, drawing, or endorsing such bill, note, or negotiable instrument; or to post office nearest to his residence at that time, unless at the time of appending his signature to such bill, note, or negotiable instrument, he specified thereon the post office to which he requires the notice to be addressed.

Sec. 1529. That every contract for the sale of goods, chattels or things in action, for a price exceeding two hundred dollars, is void, unless such agreement or some note or memorandum thereof, expressing the consideration is in writing, and subscribed by the party to be charged therewith, or some other person by him thereunto lawfully authorised in writing; unless the buyer accepts and receives part of the goods and chattels, or evidences, or some of them, of such things in action; or unless the buyer at the time pay some part of the purchase money.

Sec. 1531. No action can be maintained to charge any person, by reason of any representation or assurance made concerning the character, conduct, ability, trade or dealings of any person, when such action is brought by the person to whom such representation or assurance was made, unless the same is in writing, signed by the party sought to be charged.

Article 5, page 294. Provides in case of gambling or wagering contracts, that the money or thing lost may be recovered back:

1st. By the party losing, within six months.

2d. By any person, for the use of the wife, or if no wife, the child or children, and if no child, the next of the kin of the loser, within twelve months.

3d. By any attaching or judgment creditor of the loser, by garnishment, within two years.

Sec. 1554. There is no distinction between the whole and the half blood in the same degree, unless the inheritance came to the intestate by descent, devise or gift from, or of, some one of his ancestors, in which case all those who are not of the blood of such ancestor are excluded from the inheritance, as against those of the same degree.

SEC. 1584. Every devise made by a testator in express terms of all his real estate, or in any other terms denoting his intention to devise of all his real property, must be construed to pass all the real estate which he was entitled to devise at the time of his death.

SEC. 1584. When any estate, real or personal, is devised or bequeathed to a child, or other descendant, of the testator, and such devisee or legatee dies in the lifetime of such testator, leaving a child or other descendant, surviving such testator, such legacy does not lapse, but vests in such child or descendant, as if such devisee or legatee had survived the testator and died intestate.

SEC. 1590. No will is effectual to pass real or personal property, except in the cases hereinafter provided for, unless the same is in writing, signed by the testator or some person in his presence and by his direction, and attested by at least two witnesses, who must subscrbe their names thereto, in the presence of the testator.

SEC. 1591. An unwritten will of personal property is valid, when the property bequeathed thereby does not exceed five hundred dollars.

SEC. 1635. No person must be deemed a fit person to serve as executor:

1st. Who is under the age of twenty-one years.

2d. Who is not an inhabitant of this State.

3d. Who has been convicted of any infamous crime.

5th. Who, from intemperance, improvidence, or want of understanding, is incompetent to discharge the duties of the trust.

SEC. 1645. Administration of an estate must be granted to some one of the persons herein named, if willing to accept, and fit to serve, in the following order:

1st. The husband or the widow.

2d. The next of kin entitled to share in the distribution of the estate.

3d. The largest creditor of the estate.

4th. Such person as the judge of probate may appoint.

SEC. 1647. If several persons of the same degree of kindred to the intestate are entitled to the administration, males are to be preferred to females, and the whole blood to the half blood.

SEC. 1714. When the deceased leaves a widow, or a child or children under the age of twenty-one years, members of his family, the following property is exempt from sale for the payment of his debts:

1st. All articles of apparel of the widow and children, and all yarn and cloth on hand intended for their use or consumption.

2d. The wearing apparel of the deceased, which must be distributed among the family, at the discretion of the executor or administrator, unless otherwise disposed of by the deceased.

3d. The family bible, and all school and prayer books in use of the family, and all family portraits and miniatures.

4th. The spinning-wheels, looms, cards and other implements of industry in use in the family, and as many bedsteads, beds and bedding, and other household and kitchen furniture as may be necessary for the use of the family.

5th. Such grain, stores and groceries on hand as may be necessary for the subsistence of the family for twelve months.

6th. If it is found necessary to sell all the real property for the payment of debts, the widow, or if there is no widow the executor or administrator, must select real estate to the value of five hundred dollars, to include the homestead, or some portion thereof, to be estimated by appraisers, and set off by metes and bounds; which is exempt from sale, and the title to which vests in such widow and child or children, or in the widow, if there be no children, or in such child or children, if no widow.

SEC. 1717. The debts against estatate are to be paid in the following order:

1st. Funeral expenses.

2d. The fees and charges of administration.

3d. Expenses of the last sickness.

4th. Taxes assessed on the estate of the deceased previous to his death.

5th. Debts due to overseers, as such, for services rendered for the year of the death of the decedent.

6th. The other debts of the deceased.

SEC. 1904. Any subsequent administrator, or administrator with the will annexed, may have execution on judgment recovered by any person who preceded him in the administration of the same estate, without reviving the same, or without any proceeding to notify the defendant in such judgment.

SEC. 1911. No person is liable to an action as executor of his own wrong, for having taken, received or interfered with the property of a deceased person; but is responsible to the executor or administrator for the value of all property so taken or received, and for all the damages caused by his acts to the estate of the deceased.

SEC. 1916. When the death of a person is caused by the wrongful act or omission of another, the personal representative of the former may maintain an action against the latter at any time within one year thereafter, if the former could have maintained an action against the latter for the same act or omission, had he lived.

Sec. 1917. The damages recovered in such action cannot exceed three years' income of the deceased, and in no case three thousand dollars; the amount recovered is for the benefit of the widow; if there be none, then for the benefit of the child or children; if there be none, then to be distributed amongst the next of kin of the deceased, as other personal property.

Sec. 2105. Every action founded on promissory note, bond or other contract, express or implied, for the payment of money, must be prosecuted in the name of the party really interested, whether he has the legal title or not, subject to any defence the payor, obligor or debtor may have had against the payee, obligee or creditor, previous to the notice of the assignment or transfer; but this clause does not apply to instruments payable in bank, or at a private banking house; in all other cases the suit must be instituted in the name of the person having the legal title.

Sec. 2106 In all cases where suits are brought in the name of the person having the legal right for the use of another, the beneficiary must be considered as the sole party on the record.

Sec. 2114. A citizen of this State, or domestic corporation, may bring suit against the State of Alabama, in the circuit court of the county where he resides, or in which such corporation is located, which must in all respects be governed by the same rules as suits between individuals.

Sec. 2116. If judgment is rendered against the state, it is the duty of the comptroller, on the cirtificate of the clerk of the court, together with that of the judge who tried the cause, that the recovery was just, issue his warrant for the amount, but no certificate must issue until six months after the recoveryof judgment.

Sec. 2120. A defendant against whom an action is pending upon any contract for the payment of money, may, at any time before issue joined, make affidavit in writing, that a person not a party to the action, and without collusion with him, claims the money in controversy, and deposit the money in court, praying an order that the person so claiming the money be substituted in his place. The court must thereupon direct notice to be given to the claimant of the money, and the plaintiff; and may in its discretion after such notice has been served, make the order prayed for, and thereupon the substituted defendant stands in the place of the original defendant, and the latter is discharged from liability.

Sec. 2129. For any breach of any official bond or undertaking, of any officer of this state, executor, administrator, or guardian, the person aggrieved may sue in his own name, assigning the appropriate breach.

Sec. 2132. All actions on contracts, express or implied, all personal actions, except for injuries to the person or reputation, survive in favor of and against personal representative.

Chapter 2, page 409. Provides for the commencement of suit by summons.

Sec. 2141. The summons must be executed at least three days before the return day thereof and be returned to the office whence it issued on or before the return day; but when the summons has been executed twenty days or more before the return day, it must be returned within five days after its execution.

Sec. 2146. When the state of Alabama is a defendant, the summons must be executed by leaving a copy of the summons and complaint with the governor.

Sec. 2148. When a county is defendant, the summons must be executed by leaving a copy of the summons and complaint with the judge of probate.

Sec. 2194. The defendant in an action of libel or slander, may prove in the general issue in mitigation of damages, that the charge was made by a mistake or through inadvertence, and that he has retracted the same, and offered amends before suit, by publishing an apology in a newspaper, when the charge had been thus promulgated; or verbally in the presence of witnesses, when the accusation was verbal or written, and had offered to certify the same in writing.

Sec. 2195. If the defendant, after or before suit brought, make such recantation and amends, and also tender the plaintiff a compensation in money, and bring the same into court, the plaintiff can recover no costs, if the jury believe and find the tender was sufficient.

Sec. 2199. In all actions of slander, verbal or written, the truth of the words spoken or written, or the circumstances under which they were spoken or wirtten, may be given in evidence under the general issue, in mitigation of damages.

Sec. 2208. All actions on contracts, express or implied, for the payment of money, whether under seal or not, may be united in the same action; but a contract upon which it is necessary to assign a special breach, cannot be united in the same complaint with a contract, on which no such breach is necessary.

Sec. 2211. The fact whether a plea is in bar or abatement is ascertained by the subject matter, and prayer of the plea.

Sec. 2212. Mutual debts, liquidated or unliquidated demands not sounding in damages merely, subsisting between the parties at the time of suit brought, may be set off against the other by the defendant or his personal representative, whether the legal title be in the defendant or not, such set off, if found for the defendant, extinguishing, either in whole or in part, as the case may be, the plaintiff's demand.

Sec. 2216. The provisions in relation to set off do not apply to bills of exchange, or notes payable in bank, or at a private banking house, which have been in good faith negotiated before maturity.

Sec. 2223. By leave of the court for cause shown, the defendant may file more than one replication, and the same rule applies to all subsequent pleadings.

Sec. 2229. When the summons is executed twenty days previous to the return term thereof, it must be placed on the trial docket, and stands for trial at the first term, unless good cause be shown for a continuance.

Sec. 2255. All receipts, releases and discharges in writing, whether of a debt of record, or a contract under seal, or otherwise, must have effect according to the intention of the parties to the same.

Sec. 2256. All settlements in writing, made in good faith for the compromise of debts, must be taken as evidence, and held to operate according to the intention of the parties, though no release under seal is given, and no new consideration has passed.

Sec. 2257. Whenever it appears that procees is regular on its face, and is issued by the competent authority, a sheriff, or other ministerial officer, is justified in the execution of the same, whatever may be the defect in the proceedings on which it was issued.

Sec. 2272. The original entries in the books of a physician are evidence for him in all actions brought for the recovery of his medical services, that the service was rendered, unless the defendant in open court deny upon oath the truth of such entries, but he is required to prove the value of such services; where the denial is by a personal representative of the party, it is sufficient for him to swear that he believes it to be untrue.

Sec. 2273. Prices curent, and commercial lists, printed at any commercial mart, are presumptive evidence of the value of any article of merchandise specified therein, at that place, at the date thereof, and of the rate of exchange between that and other places; also of the rates of insurance, freights, and the times of the arrival, and departure, of ships and other vessels.

Sec. —No objection must be allowed to the competency of a witness in any legal proceedings, whether examined orally or by deposition, because the witness has been rendered infamous by a conviction for any crime, except perjury or a subornation of perjury, or because he is interested in the event of the suit, or liable for ~~costs, unless~~ the verdict and judgment would be evidence for him in another suit; but the objection for such cause goes to his credit. This section must not be construed as to authorise parties to be witness further than is authorised by the provisions of this code, or to prevent any witness being discredited by proof that he is unworthy of belief in a court of justice; nor must it change or qualify the mode or manner of establishing or proving the execution of conveyances of property or wills, as regulated by this code.

SEC. 2287. In all suits upon contracts where the defendant has been personally served with process, when the matter in controversy does not exceed three hundred dollars, the plaintiff is competent to establish the correctness of the demand by his own oath, if the defendant is a resident of the state, unless he in open court denies upon oath the truth of the facts proposed to be sworn to by the plaintiff.

SEC. 2288. The plaintiff must give the defendant or his attorney five days' notice of his intention to establish the demand by his own oath, unless the defendant resides out of, and has no attorney of record within the county; in which case, notice filed in the clerk's office ten days, has the same effect.

SEC. 2290. The two preceding sections do not apply where executors, administrators, trustees, or guardians, are defendants.

Article 5, p. 439. Provides for perpetuating the testimony of witnesses.

SEC. 2351. In all actions to recover damages for costs, the plaintiff recovers no more costs than damages, when such damages do not exceed twenty dollars, unless the presiding judge certifies that greater damages should have been awarded; and on failure to certify, judgment must be rendered against the plaintiff for such residue.

SEC. 2361. When either party introduces on the trial any execution, bond, or other matter of evidence, certified by any officer, whose certificate makes the copy thereof evidence, the fees allowed by law to such officer or person for the transcript thereof, and certificate, must be allowed as costs.

SEC. 2361. The certificate of a witness entitles him to demand of the party summoning him the amount therein stated, and is presumptive evidence that such amount is due in any proceeding instituted for its recovery; and if in any civil cause, on demand thereof of the party summoning him, or his agent, or in the case of his being a non-resident, of his attorney, the same is not paid, the witness is not obliged to appear again as a witness in the same case, until his fees are paid.

Sec. 2378. The courts respectively must, while the cause is in progress, amend all and every imperfection, and defect of form, on motion of the party, without costs, and without delay, unless injustice will thereby be done to the opposite party; and must admit the amendment of the complaint, by striking out, or adding, new parties, plaintiffs and defendants, upon such terms and conditions as the justice of the case may require.

Sec. 2379. Any mistake in the christian or surname of the party, sum of money, quantity of merchandise, day, month, or year, in the summons, complaint, or other pleading, the same being right in any part of the record, or proceedings, must after judgment be considered as having been amended while the cause was in progress.

Chapter 17, page 453. Provides for a rehearing at law in certain cases in which otherwise the party would be forced into chancery.

Sec. 2431. A writ of *fieri facias* is a lien within the county in which it is received by the officer, on the land and personal property of the defendant, subject to levy and sale from the time only that the writ is received by the sheriff, which lien continues as long as the writ is regularly issued and delivered to the sheriff, without the lapse of an entire term.

Sec. 2443. When property is restored to the defendant on the execution of a forthcoming bond, and the same dies, or is destroyed, before the day for the delivery thereof without fault on his part, the obligors in the bond may tender the value thereof to the plaintiff, his agent, or attorney; and if such tender is refused, the obligors in such bond may, on petition to the judge of the circuit court, supersede the same.

Sec. 3012. Limits the time within which appeals must be taken to two years, except upon existing judgments.

Sec. 2462. No act, promise, or acknowledgement, is sufficient to remove the bar to a suit created by the statute of limitations, or is evidence of a new or continuing contract, except a partial payment made upon the contract by the party sought to be charged, before the bar is complete, or an unconditional promise, in writing, signed by the party to be charged thereby.

Sec. 2464. When a right exists, but a demand is necessary to entitle a party to action against any officer, agent, or attorney, the limitation commences from the commission or omission of the act giving the right of action, and not from the date of the demand.

Chapter 5, page 514. Provides a proceeding as a substitute of the writ of *quo warranto.*

Sec. 2851. When a bill is filed for any other purpose than discovery only, the plaintiff may waive in or upon the bill, the answer being made on the oath of the defendants or either of them, and in such case the answer is entitled to no more weight than the bill.

Sec. 2863. In cases where it is necessary to make any persons defendants to a bill, and the names of all, or any of them are unknown and cannot be ascertained on diligent enquiry, and the plaintiff annexes to his bill an affidavit that the names of such persons are unknown: that he has made diligent enquiry to ascertain the same; and that their residence, as he believes, is not in this State, proceediegs may be had and a decree rendered against them, without naming them; and the register must make publication, as in case of non-residents, in such paper as he thinks proper, describing such unknown parties, as near as may be, by the character in which they are sued, and with reference to their title or interest in the subject matter.

Sec. 2890. The defendant may obtain relief against the complainant for any cause connected with, or growing out of the subject matter of the bill, by alleging in his answer, and as part thereof, the facts upon which such relief is prayed, and require the complainant to answer the same upon oath.

Sec. 2891. The matter thus put in issue must be considered in the nature of a cross bill, and be heard at the same time as the original bill.

Sec. 2892. The defendant may waive the answer of the complainant to such new matter, being made upon oath, which waiver must be made in or upon the answer; and in such case, the answer of the complainant to such new matter is not evidence, unless the defendant use it as such.

Sec. 2893. The complainant must file his answer to such new matter, under the same rules and regulations provided for the answers of defendants to original bills.

Sec. 2888. If the defendant wishes to examine the complainant, touching the subject matter of the bill, or his defence, he may after filing his answer, exhibit interrogatories to the complainant, and call upon him to answer the same; and, on his failure to answer them, within such time as may be prescribed by the register, his bill must be dismissed, with costs, unles such time is extended.

Sec. 2889. Exceptions may be taken to such interrogatories, and heard before the register, at such time as he may prescribe, on reasonable notice to the defendant or his solicitor, subject to an appeal to the chancellor.

Sec. 2958. Receivers can only be appointed by the chancellor, and where an application is made in vacation, reasonable notice of the time of such application, and the person to whom it will be submitted, must be given, or a good reason shown to the chancellor for the failure to give the same.

Sec. 2976. Executions issued on decrees of a court of chancery, for the payment or recovery of money, are liens upon real and personal property, subject to execution, from their delivery to the officer, in the same manner, and to the same extent, and the rules to the priority of liens from such court, are the same as in courts of law.

Sec. 3056. Every person convicted of the crime of manslaughter, by voluntarily depriving a human being of life, is guilty of manslaughter in the first degree, and must, on conviction, be punished by imprisonment in the penitentiary, not less than two, or more than ten years, or by fine, not less than five hundred dollars, and imprisonment in the county jail, not more than one year, at the discretion of the jury.

Sec. 3242. Any person who passes, or circulates, in this State, any bank bill of a less denomination than five dollars, not issued under the authority of this State, must, on conviction, be fined not exceeding fifty dollars.

Sec. 3432. There must not be less than fifteen persons sworn on any grand jury.

Sec. 3455. Makes it the duty of the grand jury to examine into the condition of the county treasury, and the bonds of all county officers, as to their correctness or sufficiency, and to report upon the same.

Sec. 3460. A member of the grand jury may be required by any court to disclose the testimony of a witness examined before the grand jury for the purpose of ascertaing if it is consistent with that given by the witness before the court, or to disclose the testimony given before them by any person, upon a charge against him for perjury in giving his testimony, or upon his trial therefor.

Sec. 3462. If any member of the grand jury is charged with an indictable offence, or is a prosecutor, or if the offence was committed against his person or property, or if he is connected, by blood or marriage, with the person charged, he must not be present at or take part in the deliberations of his fellow jurors thereon.

Sec. 3070. The indictment must contain:

1st. The name of the State, the county, court and term at which it is preferred.

2d. A statement of the facts constituting the offence in ordinary and concise language, without prolixity or repetition, and in such a manner as to enable a person of common understanding to know what is intended; and in no case are the words, "force and arms," or "contrary to the statute" necessary.

Sec. 3475. When the offences are of the same character and subject to the same punishment, the defendant may be charged with the commission of either in the same count in the alternative.

Sec. 3473. When the same offence may be committed with different intents, the intent may be charged in the same count, in the alternative.

Sec. 3478½. When any act is criminal, if producing different results, such results may be charged in the same count, in the alternative.

Sec. 3482. It is not necessary for the indictment to alledge when the offence was committed, but the proof must show it to have been within the jurisdiction of the county in which the indictment is preferred.

Sec. 3489 When an offence has been committed upon or in relation to any personal property belonging to one of several partners or owners, it is sufficient to charge such property as belonging to any one or more of such partners or owners.

Sec. 3494. The distinction between an accessory before the fact and a principal, and between a principal in the first and second degrees of felony, is abolished: and all persons concerned in the commission of a felony, whether they directly commit the act constituting the offence or aid or abet in its commission, must hereafter be indicted, tried and punished, as principal, as in the case of misdemeanors.

Sec. 3495. When an indictment is lost, mislaid or destroyed, the court, on satisfactory proof thereof, must direct a new indictment to be preferred at the term at which such proof is made, or at the subsequent term; and in such case, the time elapsing between the finding of the first indictment so lost, mislaid or destroyed, and the day on which the subsequent indictment is found, must be deducted from the time limited for the prosecution of the offence for which the defendant is indicted.

Sec. 3532. When any criminal prosecution has been commenced by indictment, or otherwise, and a witness for the defendant is dangerously ill, he may, on application and affidavit of such fact, obtain an order from the clerk of the court of the county in which such prosecution was commenced, or indictment pending, or any circuit judge, to examine such witness on interrogatories, serving the solicitor with a copy of such interrogatories, for such time as such judge or clerk may prescribe; but such evidence cannot be used on the trial, without proof of the death of the witness.

§ 3534. No subpœna must be issued, unless the defendant is in custody, or has given bail to answer to the offence.

§ 3572. In an indictment against several, if the jury cannot agree as to the verdict as to all, they may render a verdict as to those in regard to whom they agree, on which a judgment must be rendered accordingly; and the case as to the other defendants may be tried by another jury.

§ 3584. All fines and forfeitures arising out of criminal cases removed to another county, go to the county from which such trial was removed, and judgment must be rendered in favor of the state, for the use of such county.

SEC. 3585. The certificates of the state witnesses, in case of the acquittal of the defendant, or in case of his insolvency or connection, upon being certified by the clerk of the court in which the trial is had, must be received in payment of the public dues of the county from which such trial was removed, or paid out of the fines and forfeitures of such county.

SEC. 3848. In case of the death of the lessee of the penitentiary before the termination of his lease, the inspectors must immediately employ a fit person to take charge of the penitentiary as warden, and employ the other necessary officers and guards until the appointments made by the governor, as hereinafter directed; and the compensation of such officers and guards, when certified by the inspectors, and approved by the governor, must be paid out of the state treasury.

SEC. 3840. Such warden, officers and guards, are for the time being under the direction and control of the inspectors, who must during such, direct the labor of the convicts, as may be most beneficial for the state.

SEC. 3350, 3851. Provide that upon notice of the death of the lessee, the governor shall proceed to lease the penitentiary, &c.

SEC. 3962. No sheriff, jailor, or other officer, charged with the custody of a prisoner, is entitled to any allowance for keeping or removing such prisoner from the state or county, if such prisoner escapes from the custody of such sheriff or jailor.

Mr. Glover moved to have one thousand copies of the report and accompanying bill printed for the use of the House.

Mr. Price Williams moved to have twenty-five hundred copies printed. Said motion prevailed.

Mr. Glover moved to postpone the consideration of the report and bill and make them the special order for the hour of 11 o'clock on Thursday, the 15th inst.

Mr. W. M. Smith moved to postpone until Monday the 19th, which was lost, and Mr. Glover's motion prevailed.

The hour of 11 A. M. having arrived, the House resumed the special order of the day, it being the bill to facilitate the preparation of causes in the supreme court.

The question recurred on the motion of Mr. Gonder to lay the bill on the table.

Mr. Gonder demanded the yeas and nays thereon, and the motion was lost. Yeas 27; nays 60. [No names reported.]

The amendment reported by the committee was adopted.

Mr. Ashley moved to amend the third section by adding "Conecuh," which was adopted.

Mr. Freeman moved to amend as follows:

"In all cases for Pike, Coffee, Barbour, Dale, Henry, Covington, and that said court shall convene in the town of Troy, Pike county."

Mr. Shorter moved to lay said amendment on the table.

Mr. Freeman demanded the yeas and nays, and the motion prevailed. Yeas 41; nays 39.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Austin, Banks, Beck, Benham, Bennett, Booth, Bradford, Caffey, Campbell, Clements, Coleman, Cooper, Cox, Critcher, Nathaniel Davis, Nich. Davis, Earnest, Gladney, W. C. Graham, Howard, J. W. W. Jackson, Jones, M A. King, Moragne, McCollum, Oates, Price Shorter, W. M. Smith, Staton, Sterrett, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt and Woolsey.

Those who voted in the negative are, Messrs. Allen, Allison, Ashley, Boon, Brown, Bulger, Bussey Byrd, J. W. Davis, Freeman, Glover, Gonder, N. S. Graham, Henderson, Henshaw, Holley, Hopkins, F. S. Jackson, Lea, Liddell, Majors, Manasco, McAllister, McCaskill, McMullen, Nicks, Pool, Presley, Reaves, Robinson, Roper, Rowe, Shelley, John Smith, Snowden, Turner, Warren and G. W. Williams.

Mr. Nicks moved to amend as follows:

"*Be it further enacted*, That said supreme court shall hold one setting in each year in the town of Talladega, for the hearing of oral and written argument of causes for the counties of Cherokee, Benton, Talladega, St. Clair and Shelby, which sitting shall be at such times as may be designated by the judges of said court."

On motion of Mr. Cooper the amendment was amended by striking "Cherokee" therefrom.

Mr. Oates moved the previous question, and the call was sustained.

Mr. Stephens offered the following resolution, which was adopted.

"*Resolved*, That the doorkeeper be requested to illuminate the hall of the House of Representatives at seven o'clock on this evening."

The hour of one P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 8, 1832.

The House met pursuant to adjournment.

Mr. Shelley moved to suspend the special order of the day, with a view of enabling him to introduce the following resolution.

"*Resolved*, That in order to show the feeling of this House towards those who made this day sacred in the estimation of Americans, the rule requiring this House to sit until five o'clock be suspended, and that this House now adjourn.

Mr. Shorter demanded the yeas and nays, and the motion was lost. Yeas 35; nays 42.

Those who voted in the affirmative are, Messrs. Allison, Armstrong, Austin. Bennett, Cooper, Cox. J. W. Davis, Nathaniel Davis. Nich. Davis, Earnest, Freeman. N. S. Graham. Hall. Henderson. Henshaw, Howard, Lea, Liddell, Majors, McCollum, Nicks, Pettey, Robinson, Roper, Rowe. Shelley John Smith. W. M. Smith, Stephens, Watkins, Whitsitt, G. W Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Banks, Bass. Beck Boon Booth, Brown. Bussey. Byrd, Caffey. Campbell. Clements, W. P. Davis. Glover, Goldsby, W. C. Graham. Holley. Hopkins, J. W. W. Jackson. Kavanaugh. M. A. King. Moragne, McCaskill. McMullen. Moss, Oates, Pool, Price. Reaves. Shorter, Staton, Sterrett. Tarrant. Walker, Wallace, Walton, Warren. Webb. P. Williams and Wilson.

The House then resumed the consideration of the special order, it being the bill to facilitate the preparation of causes in the supreme court.

Mr. Walker demanded the yeas and nays on ordering said bill to a third reading, and the House refused to order the bill. Yeas 34; nays 50.

Those who voted in the affirmative are. Messrs. Speaker, Armstrong. Austin. Benham. Bennett. Booth. Brown. Campbell, Clements, Cox. Critcher, Nathaniel Davis. Earnest. Goldsby, W. C. Graham, Holley. M. A. King. Moragne, McCollum. Oates, Pettey, Shorter, W. M. Smith, Stephens. Snowden. Stone, Tarrant, Walker, Wallace, Watkins, Webb, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Allison, Ashley, Banks, Bass, Beck. Boon, Bussey, Byrd. Caffey. Carlisle, Cooper. J W. Davis, W. P. Davis. Freeman. Glover, N. S Graham. Hall, Henderson. Henshaw. Hopkins, Howard. J. W. W. Jackson, Liddell, Majors, McCaskill, McMullen, Moss, Nicks, Phillips. Pool, Prentice, Presley. Reaves, Robinson. Roper. Rowe, Shelley, John Smith, Staton, Sterrett, Turner, Walton, Warren, Whitsitt, P. Williams, S. Williams and Williamson.

Mr. Oates offered the following resolution, which was adopted:

"*Resolved*, That the use of the hall of the House of Representatives be and the same is hereby tendered to the Democratic State Convention, on the evening of the 19th inst., at seven o'clock, and every evening thereafter until said Convention adjourn *sine die.*"

On motion of Mr. Henshaw, the rule requiring the House to sit until five o'clock was suspended, and on motion of Mr. Robinson, the House then adjourned until ten o'clock to-morrow morning.

FRIDAY, January 9th, 1852.

The House met pursuant to adjournment.

Mr. Hall presented the petition of citizens of Autauga, which was referred to the Committee on Privileges and Elections.

Mr. Henderson presented the petition of Amos Little and others, which was referred to a select committee composed of the delegates from Butler and Conecuh.

Bills were introduced by:

Mr. Carlisle, to incorporate the Mill Town Male and Female Academy, in the county of Chambers:

Mr. N. S. Graham, to amend and alter the charter of the city of Wetumpka:

Mr. Woolsey, to prohibit colored mechanics or masons, being slaves, or free persons of color, being mechanics or masons, from making contracts for the erection of buildings, &c.:

Mr. Earnest, for the relief of Woodson Wade, guardian of J. W. Wade, et. al.:

Mr. Walton, authorising the issuance of attachments in certain cases:

Mr. Roper, to provide for the appointment of Commissioners in Chancery:

Mr. Whitsitt, to prevent wanton and malicious mischief:

Mr. Liddell, for the relief of William F. Roberts:

Mr. Clements, to change an election precinct therein named:

Mr. Wallace, relating to judicial proceedings.

Said bills were severally read, and ordered to a second reading.

Mr. Woolsey presented the petition of A. J. Jeffries, which was referred to the Committee on Propositions and Grievances.

Mr. Wilson presented the account of E. A. Mead, which was referred to the Committee on Accounts.

Mr. Campbell introduced a bill to regulate the pay of members of the General Assembly.

Mr. Critcher moved to lay the bill on the table.

Mr. Nathaniel Davis moved to postpone its consideration until the 9th of February.

Mr. Campbell demanded the yeas and nays, and the motion was lost. Yeas 36; nays 50.

Those who voted in the affirmative are, Messrs. Armstrong, Austin, Benbow, Benham, Boon, Bulger, Caffey, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Freeman, Gladney, Glover, N. S. Graham, Henderson, Henshaw, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, M. A. King, McCollum, Moss, Oates, Reaves, Roper, Shelley, Stephens, G. W. Williams, and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Banks, Bass, Beck, Bennett, Bradford, Brown, Bussey, Byrd, Campbell, Carlisle, Clements, Coleman, W. P. Davis, Goldsby, Gonder, W. C. Graham, Hall, Holley, F. S. Jackson, Jones, Porter King, Lea, Majors, Moragne, McCaskill, McMullen, Nicks, Pool, Prentice, Price, Shorter, John Smith, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.'

Mr. Campbell demanded the yeas and nays on laying the bill on the table, and the motion was lost. Yeas 31; nays 58.

Those who voted in the affirmative are, Messrs Benbow, Benham, Bennett, Boon, Bulger, Caffey, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, Glover, N. S. Graham, Henshaw, Howard, F. S. Jackson, Kavanaugh, M. A. King, McAllister, McCollum, Moss, Oates, Robinson, Rowe, Shelley, W. M. Smith, Turner and G. W. Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Armstrong, Austin, Banks, Bass, Beck, Booth, Bradford, Brown, Bussey, Byrd, Campbell, Carlisle, Coleman, Nich. Davis, Earnest, Goldsby, Gonder, W. C. Graham, Hall, Henderson, Holley, Hopkins, J. W. W. Jackson, Jones, P. King, Lea, Liddell, Majors, Manasco, Moragne, McCaskill, McMullen, Nicks, Pettey, Pool, Prentice, Price, Roper, Shorter, John Smith, Stephens, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, S. Williams, Williamson, Wilson and Woolsey.

Mr. Campbell demanded the yeas and nays on ordering the bill to a second reading, and the House refused so to do. Yeas 35; nays 52.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Bass, Bussey, Byrd, Caffey, Campbell, Carlisle, Clements, Goldsby, Gonder, J. W. W. Jackson, Lea, Moragne, Nicks, Prentice, Presley, Price, Shorter, Stephens, Tarrant, Walker, Wallace, Walton, Warren, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Austill, Beck, Benbow, Benham, Bennett, Boon, Booth, Bradford, Bulger, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Freeman, N. S. Graham, Hall, Henderson, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Kavanaugh, M. A. King, P. King, Liddell, Majors, Manasco, McAllister, McCaskill, McCollum, McMullen, Moss, Oates, Pool, Reaves, Robinson, Roper, Rowe, Shelley, John Smith, W. M. Smith, Sterrett, Snowden, Turner, Watkins, G. W. Williams and Wilson.

The House then proceeded to the consideration of the special order of the day, it being the bill to incorporate the Alabama Direct Trade and Exchange Company.

On motion of

Mr. Price Williams, 5000 copies of a paper prepared by Mr. Gladney on the subject of the bill, were ordered to be printed, and the bill was ordered to be engrossed for a third reading.

The House then proceeded to the consideration of the second special order, it being the bill to prevent the introduction of slaves into this State for sale, and for other purposes.

On motion of

Mr. Whitsitt, the consideration of said bill was postponed until the 21st instant, and made the special order for the hour of 12 M. of said day.

Mr. Bulger presented the petition of T. W. Smith, et. al., which was referred to the Committee on Privileges and Elections.

Mr. Bulger introduced a bill to incorporate the Græffenberg Medical Institute of Alabama, which was read, and the constitutional rule being suspended, was read the second time and referred to the Committee on Corporations.

The resolution offerred by Mr. Webb on yesterday was called up. Mr. Shorter moved to amend as follows:

Resolved, That the House of Representatives will meet in session this evening and to-morrow evening, from 7 o'clock to half past 9 o'clock, to continue the discussion on the resolutions from the Senate on slavery and the compromise measures; that the discussion of said resolutions shall close with the adjournment of the House on to-morrow evening, and that the vote on their adoption shall be taken by yeas and nays on Monday next, at 12 o'clock M.

On motion of

Mr. Cooper, said amendment was laid on the table.

Mr. Byrd moved to strike out of Mr. Webb's resolution all after the word "closed."

On motion of

Mr. Snowden, half past seven was struck out and 7 inserted.

Mr. Moss moved to amend by substitute as follows:

Resolved, That the debate shall close and the vote on the resolutions on the subject of slavery and the compromise shall be taken on Saturday next, at half past 4 o'clock.

Mr. Presley moved to amend the amendment as follows:

Resolved, That in the opinion of this House, the discussion on the question of slavery and the compromise measures now cease, and that a direct vote be now taken.

Mr. Byrd demanded the previous question, and the call was sustained, and the resolution was adopted.

Mr. Shorter, from the select committee on Congressional Apportionment, reported a bill to divide the State of Alabama into seven congressional districts, which was read.

Mr. Woolsey, from the minority of the same committee, reported a substitute for the bill of the majority.

Mr. Glover moved to postpone the whole subject until Thursday, the 15th instant, and make it the special order for the hour of eleven A. M. of said day, and to have printed two hundred and sixty-six copies of the report and both bills, for the use of the house.

The committee have leave to set at night.

Mr. Phillips, from the committee on Internal Improvement, made the following report:

The committee on Internal Improvement to whom was referred the second biennial report of the state geologist, have had the same under consideration.

The committee regard the act creating this office as one founded on the most enlightened policy. The beneficial effects of professor Tuomey's first report are already being felt in the mineral regions of the state; and the committee does not doubt that a full and complete execution of a geological survey of the state, will not only furnish the quota which this state owes to geological science, but lead to the development of resources hitherto dormant, give new impetus to industry, and increase the permanent strength of the state, by diversifying the employment of her citizens.

Impressed by these considerations and in the full conviction that the best interests of the State are to be subserved by the diffusion of correct information as to our great mineral wealth, the committee have instructed me to report the following joint resolution, and recommend its passage:

Be it enacted, &c. That twenty-five hundred copies of the second biennial report of professor Tuomey, State geologist, be printed for distribution; that said printing be conducted under the direction of the governor of the state, and shall be made to conform to the manner in which the first report was published; that copies of said report when printed shall be disposed of as follows: fifty copies to the author, ten copies to each senator and representative, one copy to each state of the Union, the remaining copies to be placed under the direction of the governor for distribution by him and the trustees of the University among colleges and other scientific institutions, in such manner as will best serve to disseminate correct information as to the great mineral wealth of the state.

Mr. Phillips, from the same committee, reported adversely to the bill "to aid in the construction of the Tennessee and Coosa River Railroad," inasmuch as its subject matter is provided for in the general internal improvement bill, already reported.

On motion of Mr. Porter King, the report and bill were laid on the table for the present.

Mr. Phillips, from the same committee, reported back the bill "authorizing the Canton, Aberdeen and Tuscumbia Railroad Company, to extend into the state of Alabama," with an amendment striking out the tenth section, which was adopted and the bill ordered to be engrossed for a third reading.

Mr. Phillips, from the same committee, reported back the following bills without amendment:

To incorporate the Eufaula Railroad Company:

To incorporate the Montgomery and Mobile Railroad Company:

To incorporate the Conecuh Plankroad Company:

To submit to the voters of Lauderdale, a certain proposition therein named.

Said bills were severally ordered to be engrossed for a third reading.

Mr. Phillips, from the same committee, reported adversely to the petition of citizens of Marshall, the prayer of the petitioners having been granted by the general internal improvement bill.

Said report was concurred in.

Mr. Phillips, from the same committee, made the following report:

The committee on Internal Improvement, to whom was referred, the bill to remove the obstructions in the Tombecbee river, have instructed me to report, that the objects of said bill are provided for in the general internal improvement bill already reported; and therefore ask to be discharged from its further consideration.

On motion of

Mr. Glover, the report was laid on the table and the consideration of the bill was postponed till Thursday, 13th instant, and made the special order for the hour of 11, of said day.

Mr. Phillips, from the same committee, reported adversely to the bill "to provide the manner in which the State shall aid in works of internal improvement," its subject matter having been acted upon in the general internal improvement bill, already reported.

Said report was concurred in.

Mr. G. W. Williams, from the select committee, composed of the representatives from Henry and Coffee, reported back the bill for the relief of Harrison F. Bizzle without amendment, and the bill was ordered to be engrossed for a third reading.

Mr. Ashley, from the committee on the Sixteenth Sections, reported adversely to the bill providing for the extension of sixteenth section notes.

Mr. Gonder moved to lay the report and bill on the table.

Mr. Cooper called a division of the question, which was first taken on laying the report on the table and carried; second on laying the bill on the table, which was lost.

Mr. Cooper moved to refer the bill to a select committee of five, and the motion prevailed. Messrs. Cooper, Robinson, Lea, P. King and Oates composed said committee.

Mr. W. P. Davis, from the committee on accounts, reported, a bill for the relief of S. R. Hereford, which was read and ordered to a second reading.

The hour of one P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 9, 1852.

The House met pursuant to adjournment.

On motion of Mr. Phillips the special order, the bill "to promote the prosperity of the people of Alabama by developing the agricultural, mineral, manufacturing and commercial resources of the State," was postponed until Monday next.

The engrossed bill for the relief of Stephen Williamson was read the third time and passed.

The following bills from the Senate:

To amend the charter of the South Plankroad Company:

Concerning poor houses, and for other purposes:

To amend the law now in force on the subject of dower:

Ratifying and confirming some of the acts of the town council of Cahawba, and for other purposes:

To extend the duties of the sheriff of the county of Hancock, and for other purposes:

To provide for the payment of costs in certain cases against executors and administrators of insolvents' estates:

To authorize attachments to issue in certain cases:

To authorize the sale of the stock held by the State in the Bank of Mobile:

To change the fees of solicitors in certain cases:

To authorize the judge of probate of Randolph county to make titles to town lots in the town of Wedowee:

To extend the power of circuit judges and chancellors in granting injunctions:

For the relief of the heirs of James English, deceased:

To amend the charter of the Montgomery and Wetumpka Plankroad Company:

Were severally read, and ordered to a second reading.

The following bills from the Senate:

To establish a medical board at the town of Tuskegee, in Macon county:

To incorporate the North Alabama College:

Were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Corporations.

The bill from the Senate "to incorporate the Florence and Nashville Railroad Company," was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Internal Improvement.

The House concurred in the amendments of the Senate to the following bills:

To charter the Wills Valley Railroad Company, and

To increase the pay of jailors.

The House adhered to its disagreement to the amendments of the Senate to the bill "to compensate the county treasurers for the counties of Limestone, Morgan and Chambers, for receiving and paying out sixteenth section funds.

The bill from the Senate "to carry into effect the provisions of fourth section of the first article of the Constitution of the United States was read."

Mr. Campbell moved to lay the bill on the table.

Mr. Wilson moved to postpone the consideration thereof until the 9th of February.

Mr. Snowden demanded the yeas and nays thereon, and the motion prevailed. Yeas 48; nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Boon, Brown, Bulger, Bussey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, Henderson, Howard, J. W. W. Jackson, M. A. King, P. King, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Stone, Tarrant, Warren, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Allen, Ashley, Banks, Bass, Benbow, Benham, Booth, Bradford, Caffey, Carlisle, Cooper, Critcher, Earnest, Freeman, Glover, Henshaw, Holley, Hopkins, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Roper, Shelley, John Smith, Sterrett, Snowden, Walker, Wallace, Walton, Watkins, Webb, S. Williams, and Williamson.

Mr. Campbell moved to reconsider the vote just taken.

Mr. Snowden demanded the yeas and nays.

Mr. Cooper moved to postpone the consideration of the motion to reconsider until 11 o'clock on to-morrow.

Mr. Hall moved to postpone until the 9th of February.

A point of order having arisen, Mr. Speaker decided that the merits of the bill are not debateable under the motions submitted herein.

Mr. Shelley appealed from the decision of the chair.

Mr. demanded the yeas and nays, and the chair was sustained. Yeas 64; nays 5.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Ashley, Austin, Banks, Beck, Benbow, Benham, Boon, Booth, Brown, Bulger, Bussey, Caffey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nich, Davis, W. P. Davis, Earnest, Gladney, Gonder, N. S. Graham, W. C. Graham, Hall, Henderson, Hopkins, Howard, J. W. W. Jackson, P. King, Lea, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Moss, Oates, Phillips, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shorter, W. M. Smith, Staton, Stephens, Sterrett, Snowden, Stone, Tarrant, Walker, Warren, Watkins, Webb, Whitsitt, P. Williams, and Wilson.

Those who voted in the negative are, Messrs. Nathaniel Davis, M. A. King, Shelley, John Smith, and S. Williams.

Mr. Campbell moved to suspend the rule requiring the House to adjourn at 5 o'clock.

Pending which question, the hour of 5 P. M. having arrived, the House adjourned.

NIGHT SESSION, January 9th, 1852.

The House met pursuant to adjournment and resumed the consideration of the special order for the evening, it being the joint resolutions from the Senate in relation to slavery and the compromise measures.

On motion of Mr. Byrd, the rule requiring the House to adjourn at half-past 9 o'clock was suspended.

The discussion of the joint resolutions was continued, and at 10 o'clock the House adjourned.

SATURDAY, January 10th, 1852.

The House met pursuant to adjournment.

On motion of Mr. Shelley the journal of yesterday was amended so as to let it appear that Mr. Nathaniel Davis moved to postpone the bill from the Senate, "to carry into effect the 4th Section of the 1st Article of the Constitution of the United States," until the 9th of February, and that Mr. Davis on making said motion stated his object to be to defeat the bill, and that Mr. Davis withdrew his motion.

Mr. Gonder moved to suspend the rule requiring the House to adjourn at 1, meet at 3, and adjourn at 5, in order to enable the House to accept the invitation of the Montgomery South Plank Road Company, to attend a barbacue on this day.

Mr. Wilson demanded the yeas and nays, and the motion was lost. Yeas 23; nays 61.

Those who voted in the affirmative are, Messrs. Bennett, Bradford, Caffey, Cooper, Nathaniel Davis, Glover, Goldsby, Gonder, Henderson, Holley, Howard, F. S. Jackson, Porter King, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Shelley, W. M. Smith, Snowden and Turner.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Ashley, Austin, Banks, Bass, Benbow, Benham, Boon, Booth, Brown, Bulger, Bussey, Campbell, Carlisle, Clements, Coleman, Cox, J. W. Davis, Earnest, Freeman, Gladney, N. S. Graham, W. C. Graham, Hall, Hopkins, J. W. W. Jackson, Jones, M. A. King, Lea, Majors, Manasco, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Roper, Rowe, Shorter, John Smith, Staton, Stephens, Sterrett, Stone, Tarrant, Walker, Walton, Warren, Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams, Wilson and Woolsey.

The House then proceeded to the consideration of the motion submitted by Mr. Hall on yesterday to postpone until the 9th of February, the motion of Mr. Campbell to reconsider the vote, by which the House postponed until the 9th of February the bill to carry into effect the provisions of the 4th section of the 1st article of the constitution of the United States.

Mr. Hall demanded the yeas and nays, and the motion prevailed. Yeas 46; nays 36.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Austin, Benham, Bennett, Boon, Brown, Bulger, Bussey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, N. S. Graham, W. C. Graham, Hall, Henderson, Howard, J. W. W. Jackson, Jones, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, P. Williams and Wilson.

Those who voted in the negative are. Messrs. Allen, Ashley, Banks, Bass, Benbow, Booth, Bradford, Byrd, Caffey, Carlisle, Cooper, Critcher, Earnest, Freeman, Glover, Gonder, Holley, Hopkins, F. S. Jackson, M. A. King, Lea, Liddell, McCollum, Nicks, Pettey, Roper, Shelley, John Smith, Sterrett, Snowden, Wallace, Walton, Watkins, Webb, S. Williams and Woolsey.

Mr. M. A. King introduced a bill granting the right of way to the Winchester and Alabama Rail Road Company through the counties of Madison and Marshall, which was read; and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Internal Improvement.

The bill to provide for the election of a county treasurer and tax assessor by the qualified voters in the county of DeKalb, was, on motion of Mr. Shelley, laid on the table.

The report of the Committee on the Judiciary made on the 3d December and postponed, adverse to the joint resolution to amend the constitution of the State of Alabama, was taken up and considered.

On motion of Mr. Rowe, the report was laid on the table, and the joint resolution postponed till Wednesday, the 14th instant, and made the special order for quarter past ten of said day.

Mr. Caffey, from the committee on the State Capital, reported a bill to compensate Nimrod E. Benson and Justice Wyman, for services rendered the State as commissioners to superintend the building of a new State house; which was read, and on motion of Mr. P. Williams was postponed to the 16th instant, and made the special order for the hour of 11 o'clock of said day.

Mr. Nathaniel Davis, from the committee on the State Bank and Branches, reported adversely to the bill to provide for the extension of the time of payment of certain notes therein mentioned.

On motion of

Mr. W. M. Smith, said report was laid on the table.

Mr. W. M. Smith moved to amend said report by substitute, which was adopted; and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

Mr. Price Williams, from the Committee on Banks and Banking, reported back the bill "to incorporate the Central Bank of Alabama," and to incorporate the Northern Bank of Alabama, and recommended the passage one of those bills.

Mr. Shorter moved to lay on the table the bill to incorporate the Northern Bank of Alabama.

Mr. Oates moved to postpone said bill until Thursday next, and to be made the special order for the hour of 12, M. of said day.

Mr. Lea moved to recommit said bills to the Committee on Banks and Banking.

Mr. Price Williams, by leave, withdrew the Northern Bank bill.

Mr. Oates moved to postpone the bill to incorporate the Central Bank, to Thursday next, at 11 o'clock, and the motion prevailed.

Mr. Price Williams, from the same committee, reported back the bill to incorporate the Northern Bank of Alabama.

On motion of

Mr. Oates, said bill was postponed until Thursday next, and made the special order for the hour of 11, of said day.

Mr. Reaves, from the Committee on Accounts, reported adversely to the account of David M. George, and the report was concurred in.

Mr. Cox, from the Committee on the Penitentiary, reported back the bill to submit the penitentiary system to the voice of the people, without amendment.

Mr. Shelley moved to postpone said bill until the 26th instant, and to be made the special order for the hour of 12, M., of said day, and the motion prevailed.

Mr. Carlisle, from the Committee on Ways and Means, reported adversely to the bill "to amend the Revenue Laws."

Mr. Critcher moved to lay the report on the table, and demanded the yeas and nays thereon.

Mr. Hall moved to lay the bill on the table.

Mr. Hall withdrew his motion to lay on the table, and

Mr. Critcher his motion to lay the report on the table.

Mr. Critcher renewed his motion to lay the report on the table, and,

Mr. Hall his motion to lay the bill on the table.

Mr. Critcher called for a division of the question, and the vote was taken first on laying the report on the table, and the motion was lost. Yeas 13; nays 54.

Those who voted in the affirmative are, Messrs Austin, Boon, Brown, Bulger, Critcher, Nathaniel Davis, Majors, McCollum, Rowe, Shelley, Stephens, Warren and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Beck, Benbow, Booth, Bussey, Campbell, Carlisle, Clements, J. W. Davis, Earnest, Freeman, Glover, Gonder, N. S. Graham, Hall, Henderson, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Lea, Liddell, Moragne, McAllister, McCaskill, McMullen, Oates, Phillips, Pool, Reaves, Roper, Shorter, John Smith, W. M. Smith, Staton, Sterrett, Snowden, Stone, Tarrant, Walton, Watkins, Webb, Whitsitt, G. W. Williams, P. Williams and Woolsey.

Mr. Stephens moved to postpone the consideration of the bill and report to Tuesday, 20th instant, and to be made the special order for the hour of 12, M., of said day, and withdrew said motion.

Mr. Hall moved to postpone the same to 26th instant, and to be made the special order for the hour of 11, M., of said day. This motion was lost and the report was concurred in.

Mr. Webb presented the account of Otway M. Birchett, which was referred to the Committee on Accounts.

Mr. S. Williams moved to postpone the general orders, to permit the committee to report, which was lost.

The following bills from the Senate were severally read the third time and passed:

The bill to authorize the governor to furnish arms to the Tuskegee Classical and Scientific Institute, in Macon county:

To authorize the governor to furnish Cadet muskets to Gibson F. Hill's Military Academy:

The Engrossed Bills:

To incorporate the Town of Jefferson, in Marengo county:

To incorporate the Preachers' Aid Society of the Methodist Episcopal Church South:

To incorporate the Grand Temple of Alabama and its subordinates, &c.

To alter and amend the law in relation to the taxation of costs in the Supreme Court:

To incorporate the Town of McKinley, in Marengo county:

Relating to the appointment of guardians in certain cases:

To amend the third section of an act entitled "an act to reform the evils of local legislation," approved March 3, 1848:

To authorize judges of probate courts to correct mistakes in their courts and for othe purposes:

To alter the mode of selecting the grand jurors for the county of Tuskaloosa:

For the relief of John Davis:

To change the name of certain persons therein named, and for other purposes:

Were severally read the third time and passed.

The engrossed bill for the relief of Thomas G. Cole, of the county of Choctaw, was read the third time.

Mr. Nathaniel Davis moved to amend by way of engrossed ryder as follows: "*Provided*, That the same be paid out of the funds raised for the payment of executed slaves," which was read three times and adopted.

Mr. Allison demanded the yeas and nays, on the passage of the bill, and the bill passed. Yeas 56; nays 11.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Ashley, Banks, Bass, Beck, Benbow, Bennett, Booth, Bradford, Brown, Bulger, Bussey, Campbell, Clements, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Glover, Gonder, N. S. Graham, W. C. Graham, Henderson, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Lea, Liddell, Maragne, McCaskill, Oates, Phillips, Pool, Price, Reaves, Roper, Rowe, Shorter, Staton, Sterrett, Snowden, Stone, Tarrant, Wallace, Walker, Warren, Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison. Austin, Boon, Carlisle, Cox, Freeman, Majors, McCollum, McMullen, W. M. Smith and Stephens.

The bill from the Senate "to make a donation of the State capitol at Tuskaloosa," was read the third time

Mr. Shelley moved to lay the bill on the table, and withdrew his motion.

Mr. W M. Smith demanded the yeas and nays on the passage of the bill, and the same was passed. Yeas 38; nays 27.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Banks, Bass, Beck, Booth, Bussey, Carlisle, Clements, Earnest, Gladney, Glover, W. C. Graham, Hall, Henderson, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Lea, Liddell, McAllister, McCaskill Oates, Phillips, Roper, Rowe, Shorter, Sterrett, Snowden, Tarrant, Wallace, Walton, Webb, Whitsitt, P. Williams and S. Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Austin, Benbow, Bennett, Boon Brown, Bulger, Campbell, Cox, Critcher, Nathaniel Davis, Freeman, Gonder, Majors, Moragne, McCollum, McMullen, Pool, Price, Reaves, W. M. Smith, Staton, Stephens, Warren, G. W. Williams and Wilson.

The hour of one o'clock P. M. having arrived, the House adjourned.

Afternoon Session, January 10, 1852.

The House met pursuant to adjournment, and resumed the consideration of the messages from the Senate.

The following bills from the Senate:

For the relief of John Silsby:

To amend the charter of the Branch Railroad Company:

To renew and extend the time of payment of certain State bonds therein named:

To incorporate the Pratt Plankroad Company:

To declare Pleasant P. Coleman a citizen of Perry county, and for other purposes:

To authorize the commissioners' court of Lauderdale county to pay the sheriff of said county for *ex officio* services:

To prescribe and define the liability of chancellors for neglect of duty.

To repeal certain acts therein named:

For the relief of John Stuart:

For the relief of Benjamin Howell:

To provide for the payment of certain claims against the State:

For the relief of Benjamin B. Rodgers:

For the relief of M. H. Jones:

Enlarging the powers of administrators, *de bonis non:*

To alter the time of holding the circuit court in the sixth judicial circuit:

For the relief of Riley F. Pardue:

For the relief of the judge of probate and the sheriff of Hancock county:

To amend the charter of the Mobile Marine Railway and Insurance Company:

To authorize the Governor to furnish the Tuskegee Classical and Scientific Institute with artillery:

To establish a new beat in the seventy-third regiment, in the county of Benton:

To authorize the extension of debts now due, or to become due, to the different sixteenth section funds in this State:

To change the time of holding the spring term of the circuit court of the county of Sumter:

To authorize the Governor to issue a patent to certain school lands, therein specified:

To authorize the sale of the sixteenth section in township four, range three:

To regulate the duties and payment of the Quartermaster General of this State, &c:

To amend an act to incorporate the town of Florence, approved 14th January, 1826:

To legalize a certain marriage therein named, and for other purposes:

To amend the charter of the Southern Bank of Alabama, and also the joint resolution from the Senate, proposing the call of a convention to alter and reform the constitution of the State of Alabama:

Were severally read, and ordered to a second reading.

The following bills from the Senate:

To incorporate the annual Alabama Conference of the Methodist Episcopal Church South:

For the relief of Wm. B Hargett of the county of Sumter:

Were severally read, and the constitutional rule being suspended, were read the second and third time forthwith, and passed.

The bill from the Senate:

To establish a State hospital for insane persons in Alabama, was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Corporations, with instructions to have one hundred copies printed for the use of the House.

The bill from the Senate to attach section thirty six, to township twenty-three, to the county of Chambers, was read.

Mr. Bulger moved to postpone the consideration thereof until the 9th of February, and withdrew said motion.

The constitutional rule was then suspended, and the bill read the second time:

Mr. Rowe moved to amend as follows:

Provided, That all the persons, property, subjects and items of taxation appertaining to said section, be assessed and taxed in the county of Tallapoosa, as heretofore.

Said amendment was adopted.

Mr. McCollum moved to refer said bill to the committee on County Boundaries, and withdrew said motion.

Mr. Glover moved to refer to a select committee composed of the representatives from Macon and Tallapoosa; said motion was lost, and the House refused to order said bill to a third reading.

The House concurred in the amendments of the Senate to the following bills:

To amend the charter of the Fulton Insurance Company:

To authorise Moses Cavett, administrator of Richard Cavett, to settle and compromise bad and doubtful debts:

To authorise the commissioners' court of roads and revenue to levy taxes on ten pin alleys:

For the relief of James Chandler and William Dale:

To incorporate the White Plume Riflemen.

The bill from the Senate to refund to Samuel Johnson the amount of taxes improperly assessed for the year 1847, was read, and the constitutional rule being suspended was read a second time forthwith and ordered to a third reading.

The joint resolution from the Senate recommending the establishment of a bureau of agriculture at the City of Washington, were read and adopted.

The following bills from the Senate:

To incorporate the Tallassee Manufacturing Company, number one:

To incorporate the Tallahassee Manufacturing Company, number two, were severally read; and the constitutional rule being suspended, were read the second time forthwith and referred to the committee on Corporations:

The bill to incorporate the town of North Port in Tuscaloosa county, was on motion of Mr. Wallace, taken from the table and ordered to be engrossed for a third reading:

The bill authorizing the appointment of a guardian for the property and estate of Zachariah Herndon, in the State of Alabama, was on motion of Mr. Stone taken from the table; and the constitutional rule being suspended, was read the third time and passed.

The House proceeded to the consideration of the amendment of the Senate to the joint memorial to congress for a grant of land to equalise the sixteenth section fund.

Mr. Shelley moved to amend the amendment by striking out the word "waste;" said motion was lost and the amendment of the Senate concurred in.

The bill from the Senate to incorporate the East Alabama Female College and the Bascomb Female Institute was read; and the constitutional rule being suspended, was read the second and third time forthwith.

Mr. Mullen demanded the yeas and nays on the passage thereof, and the bill was passed. Yeas 48; nays 4.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Ashley, Austin, Banks, Bass, Boon, Booth, Bradford, Brown, Campbell, Clements, J. W. Davis, Earnest, Freeman, Glover, W. C. Graham, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Lea, Liddell, Majors, Moragne, McAllister, Oates, Phillips, Prentice, Price, Roper, Rowe, Shelley, John Smith, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. McMullen, Pool, Staten and Wilson.

On motion of

Mr. Oates, the bill to repeal an act therein named, was taken from the orders and read the second time; and the constitutional rule being suspended, was read the third time forthwith and passed.

The following bills were on motion of Mr. Whitsitt taken from the table and read the second time; and the constitutional rule being suspended, were read the third time forthwith and passed, viz:

The bill incorporating the Brownsville Academy;

To incorporate the Gaston Institute.

The bill from the Senate more effectually to insure returns of the strength and condition of the militia of the state, was read and the constitutional rule being suspended, the second time, forthwith.

Mr. Bennett moved to amend, as follows:

"*Be it enacted, &c.*, That from and after the passage of this act, the law requiring citizens of this state to do military duty, be and the same is hereby repealed."

On motion of Mr. Nathaniel Davis, the bill and amendment were referred to the Committee on the Military.

The hour of 5 P. M. having arrived, the House adjourned until Monday morning at 10 o'clock.

MONDAY, January 12, 1852.

The House met pursuant to adjournment.

Mr. Speaker laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Bills were introduced by:

Mr. Henshaw, to regulate camp hunting in the county of Clarke:

Hr. Brown, to regulate sales by constables in the county of Marion:

Mr. Brown, to change the mode of appointing assessors and collectors of taxes in Marion county.

Mr. Stone, to increase the salary of the state treasurer.

Said bills were severally read and ordered to a second reading.

Bills were introduced by:

Mr. Holley, to provide for the location of a court house in the county of Coffee:

Mr. Porter King, to authorise the sale of certain real estate belonging to Elihu Carlisle, late of the county of Perry, deceased.

Said bills were severally read, and the constitutional rule being suspended, were read a second and third times forthwith, and passed.

Mr. N. S. Graham presented the account of L. A. Pearce, and Mr. Shorter, of Seth Mabrey, which were severally referred to the Committee on Accounts.

Mr. Snowden introduced a bill for the relief of Alexander Rodgers, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Propositions and Grievances.

Mr. Snowden introduced a bill for the apportionment of the State into seven congressional districts, which was read, and the constitutional rule being suspended, was read the second time forthwith, and postponed until Thursday next, and made the special order for the hour of 11 of said day.

Mr. Bussey introduced a bill to authorise the Governor to furnish arms to the Orville Institute, in Dallas county, which was read, and the constitutional rule being suspended, was read the second time, and referred to the Committee on the Military.

Mr. Jones gave notice that he would move to reconsider the vote on the passage of the bill to incorporate the town of McKinley, in Marengo county.

Mr. Webb introduced a bill for the relief of E. and R. Brevard, which was read, and the constitutional rule being suspended, was read the second and third times forthwith and passed.

Bills were introduced by:

Mr. Tarrant, in relation to granting license to retail ardent spirits:

Mr. Phillips, incorporating the Gulf and Atlantic Steam Navigation and Direct Trade Company:

Mr. Shelley, for the relief of James Danby.

Said bills were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Ways and Means.

Mr. Oates presented the petition of citizens of Lauderdale county, which was referred to the Committee on the Judiciary.

Mr. Glover presented the account of F. B. Bryan, which was referred to the Committee of Ways and Means.

Mr. Phillips introduced a bill to incorporate the Mobile Savings Institution, which was read, and the constitutional rule being suspended, was read a second time forthwith, and referred to the Committee on Corporations.

Mr. McCaskill introduced a bill to change the boundary line between the counties of Macon and Conecuh, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on County Boundaries.

Bills were introduced by:

Mr. Stone, to incorporate the Memphis Alabama Plankroad Company:

Mr. Stone, to incorporate the Alabama and Noxubee Mississippi Railroad Company:

Said bills were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Internal Improvements.

Mr. Stone introduced a bill to authorize sheriff sales at Memphis, in Pickens county, which was read, and the constitutional rule being suspended, was read a second time forthwith, and ordered to be engrossed for a third reading.

Mr. Hopkins introduced a bill to change the name of Martha Ann Thompson, which was read, and the constitutional rule being suspended, was read a second time forthwith.

Mr. Manasco moved to amend by adding the name of Milly Shaw, which was adopted.

The bill was then, the constitutional rule being suspended, read the third time forthwith and passed.

Bills were introduced by:

Mr. Hopkins, to regulate the fees of the register in chancery in the third district of the southern division:

Mr. Clements, to authorise the appointment of a trustee for the purposes therein named:

Said bills were severally read, and the constitutional rule being suspended, were read the second time forthwith and referred to the Committee on the Judiciary.

Mr. Shelley introduced a bill for the relief of Mary E. Hughes, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Divorce and Alimony.

Mr. Liddell introduced a bill to attach a part of Benton to Talladega county, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on County Boundaries.

Reports.

Mr. Henderson, from the Committee on the Military, reported back the bill to incorporate the Rough and Ready Invincibles with an amendment, which was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Bulger, from the Committee on the Military, reported a bill to establish an additional beat in the county of Bibb, and Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce Moses Upchurch from his wife Lucina Upchurch.

Said bills were severally read and ordered to a second reading.

Mr. John Smith, from the Committee on County Boundaries, reported a substitute for the bill to change the line between the counties of Tallapoosa and Marion.

Mr. Bulger moved to lay the bill and substitute on the table.

Mr. John Smith demanded the yeas and nays, and the motion prevailed. Yeas 44; nays 23.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Austin, Banks, Benham, Boon, Booth, Brown, Bulger, Clements, Coleman, Cox, J. W. Davis, Nath. Davis, Goldsby, N. S. Graham, W. C. Graham, Hall, J. W. W. Jackson, Jones, P. King, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Nicks, Oates, Pool, Prentice, Price, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Sterrett, Turner, Whitsitt. G. W. Williams and Wilson.

Those who voted in the negative are, Messrs. Ashley, Bass, Beck, Benbow, Byrd, Cooper, Nich. Davis, Earnest, Glover, Holley, Hopkins, Lea, McCollum, Moss, Pettey, Shelley, John Smith, Snowden. Tarrant, Wallace; Warren. Watkins, Webb and S. Williams.

Mr. Rowe, from the same committee, reported adversely to the bill declaring certain liners therein named citizens of Fayette county.

Mr. McMullen moved to lay the report on the table. Said motion was lost and the report concurred in.

Mr. Rowe, from the same committee, reported back the bill to change the line of Jackson and Marshall counties.

On motion of Mr. Critcher, the report and bill were laid on the table.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported adversely to the petition of citizens of the Bellefont Corporation:

To the bill to provide for the opening of private roads: and the petition to turnpike a road therein named.

Said reports were severally concurred in.

Mr. Wilson, from the Committee on Accounts, reported back the bill for the relief of Charles T. Lewis, without amendment, and said bill was ordered to be engrossed for a third reading.

Mr. Wilson, from the same committee, made the following report:

The Committee on Accounts, to whom was referred the bill for the relief of Daniel Powell, have had the same under consideration and instruct me, without a dissenting voice, to report adversely thereon, believing, as the committee does, after a careful investigation of the facts and circumstances connected with the claim, that said claimant had already received more than was justly due him.

Mr. S. Williams moved to lay the report on the table, and withdrew his motion.

Mr. S. Williams moved to lay the report on the table and place the bill among the orders; the motion was lost and the report concurred in.

Mr. Clements, from the School Committee, composed of one member from each Judicial Circuit, reported a substitute to the joint resolution proposing an amendment to the constitution.

Mr. Glover moved to lay the substitute on the table.

Mr. Clements demanded the yeas and nays, and the motion was lost. Yeas 21; nays 61.

Those who voted in the affirmative are, Messrs. Allison, Beck, Byrd, Carlisle, Cox, J. W. Davis, Nathaniel Davis, Glover, Goldsby, N. S. Graham, Hopkins, J. W. W. Jackson, Moss, Sterrett, Turner, Watkins, Webb, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Benham, Bennett, Boon, Bradford, Brown, Bussey, Campbell, Clements, Coleman, Cooper, Critcher, Nich. Davis, W. P. Davis, Earnest, Freeman, Gonder, W. C. Graham, Hall, Henderson, Henshaw, Holley, Jones, Porter King, Lea, Liddell, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Pool, Price, Reaves, Robinson, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton, Stephens, Snowden, Stone, Tarrant, Wallace, Walton, Warren, Whitsitt, G. W. Williams, P. Williams, Williamson and Wilson.

The question pending on concurring in the report, the hour of 12 M. having arrived, the House proceeded to the consideration of the special order, it being the bill from the Senate to repeal in part and amend an act to establish a criminal court in the city of Mobile, approved 3d February, 1850.

The question recurred on the adoption of the amendment heretofore offered by Mr. Oates, and the same was adopted.

Mr. Byrd moved to strike out 1852 and insert 1854 in the third section, and withdrew said motion.

The following message was received from the governor by Mr. Harrison:

Mr. Speaker: His excellency the governor has approved bills which originated in the House of Representatives of the following titles, to wit:

An act to increase the pay of commissioners of roads and revenue for Macon county:

An act to authorise the sheriff of Henry county to advertise his sales in the Abbeville Banner, a newspaper published in the town of Abbeville in said county:

An act in respect to the books, maps and field notes of the late surveyor general's office for the State of Alabama:

An act to authorise the commissioners' court of the county of Henry to levy a special tax to build a jail in said county:

An act for the relief of certain persons therein named and for other purposes:

An act for the relief of Wm. A. Goodweyson:

An act to legalise the sale of certain lands therein named in the county of Randolph:

An act to authorise the commissioners' court of Marengo county to levy a special tax to build a county jail:

An act to regulate the election of revenue and roads:

The hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 12, 1852.

The House met pursuant to adjournment, and resumed the consideration of the bill "to repeal in part and amend an act entitled an act to establish a criminal court in the city of Mobile, approved the 3d of February, 1846."

Mr. W. M. Smith moved to reconsider the vote by which the House on this morning adopted the amendment of Mr. Oates.

Mr, Oates moved to postpone the consideration of said motion till the 9th of February.

Mr. Speakr decided the motion of Mr. Oates to be out of order.

Mr. Oates demanded the yeas and nays on the motion to reconsider, and the motion was lost. Yeas 33; nays 42.

Those who voted in the affirmative are, Messrs. Allison, Austin, Brown, Boon, Bulger, Bussy, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, Hall, Henderson, Howard, J. W. W. Jackson, Porter King, Majors, Manasco, Moragne, McAllister, McCaskill, McMullen, Pool, Price, Reaves, Row, Shorter, W. M. Smith, Stephens, Turner, Whitsitt, P. Williams, and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley. Banks, Beck, Benham, Benbow, Booth, Bradford. Byrd, Caffey, Carlisle, Cooper, Critcher, Nich Davis, Glover, Goldsby, W. C. Graham, Henshaw, Holly, Hopkins, Lea, Liddell, McCollum, Moss, Nicks, Oates, Pettey, Shelley, John Smith, Sterritt, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb, S. Williams, Williamson, and Woolsey.

Mr. Byrd moved the previous question, and the call was sustained.

The constitutional rule being suspended, the bill was read the third time, forthwith.

Mr. Robinson demanded the yeas and nays on the passage thereof, and the bill was passed. Yeas 50; nays 18.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Bass, Beck, Benbow, Benham, Booth, Bradford, Brown, Caffey, Campbell, Carlisle, Coleman, Cox, Critcher, Nathaniel Davis, Glover, Goldsby, N. S. Graham, W. C. Graham, Henshaw, Holley, Hopkins, Liddell, Majors, Manasco, Moss, Nicks, Oates, Pettey, Prentice, Price, Shelley, John Smith, W. M. Smith, Sterritt, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, P. Williams, S. Williams, and Woolsey.

Those who voted in the negative are, Messrs. Austin, Bussey, Byrd, Cooper, J. W. Davis, Hall, Howard, Porter King, Lea, McCollum, McMullen, Pool, Robinson, Rowe, Stephens, Turner, Whitsitt, and Wilson.

Mr. Price Williams moved to reconsider the vote just taken, and the motion was lost.

The Committee on Education obtained leave to sit during the afternoon.

The question recurred on concurring in the amendment of the Senate to the bill to establish jury trials in Justice Courts, in the county of Choctaw and of Washington, and to regulate the proceedings thereof.

Mr. Moss moved to amend the amendment by exempting the county of Montgomery from its operation.

The bill and amendments were then referred to the Committee on the Judiciary.

The bill to prevent negroes from trading, and for other purposes, was taken up for consideration, it being the special order,

Mr. McCollum moved to lay the bill on the table, which was lost, and the bill was then ordered to be engrossed for a third reading.

The House then proceeded to the consideration of the messages from the Senate.

The bill supplementary to an act to divide the county of Franklin into commissioners' districts was read the first time, and on motion of Mr. Walker, was laid on the table.

The bills from the Senate,

Authorising the Chancellor of the Northern Division of the State to hold an additional term of the Chancery Court for the 38th district:

To authorise the compromise of bad and doubtful debts belonging to the estate of James P. Poslin:

For the relief of Thomas H. Giles, tax collector for Madison county:

For the benefit of the sheriff of Shelby county:

To provide for the preservation of the balances intended for the adjustment of the standard weights and measures:

To provide for taking the sense of the qualified voters of the city of Montgomery, as to the manner of the selection of the City Marshal, and for other purposes:

To incorporate the Central Southern Mechanical and Literary Institute:

Were severally read, and ordered to a second reading.

The House concurred in the amendment of the Senate to the bill to incorporate the Dadesville Masonic Female Institute.

The bill from the Senate, to authorise the judge of Probate Court of Mobile county to copy such books of record, now in the Probate Court or record room of said county as are in a dilapidated state, and for other purposes, was read, and the constitutional rule being suspended, was read a second time, forthwith.

Mr. Price Williams moved to amend said bill by a proviso, as follows:

"Provided, that it shall be the duty of the Board of Revenue Commissioners to elect a competent individual to copy the books of record:" said amendment was adopted, and the bill ordered to a third reading.

The bill from the Senate, to authorise the Commissioners of Revenue and Roads of the county of Mobile to borrow money for the completion of the court house, and for other purposes, was read the first time, and the constitutional rule being suspended, was read the second time, forthwith, and ordered to a third reading.

The joint resolution from the Senate for the relief of Brittain &

DeWolf, State printers, were read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Public Printing, with instructions to report if any bids were received at a less rate than the sum proposed in the joint resolution.

Mr. Robinson, from the Committee on Education, submitted a report, on the matters referred to said committee, which was on motion of Mr. Shorter, laid on the table, and five thousand copies thereof ordered to be printed.

Mr. Robinson, from the same committee, reported a "bill to appoint a Superintendant of Public Schools, and for other purposes," which was read, and on motion of Mr· Shorter, laid on the table, and one hundred and thirty-three copies ordered to be printed.

And then the hour of five P. M., having arrived, the House adjourned.

NIGHT SESSION, January 12, 1852.

The House met pursuant to adjournment, and there being no quorum, Mr. W. P. Davis moved a call of the roll, and that the Door Keeper be sent for absentees.

Said motion prevailed, and the following members answered to the call:

Messrs. Speaker, Allen, Allison, Armstrong, Beck, Campbell, Carlisle, Cox, Nathaniel Davis, W. P. Davis, Earnest, W. C. Graham, Hall, Hendree, Henshaw, Howard, J. W. W. Jackson, Porter King, Lea, McCaskill, Nicks, Oates, Reaves, Robinson, Rowe, Shelley, Shorter, W. M. Smith, Walker and Price Williams.

Mr. Henshaw moved to adjourned.

Mr. Robinson demanded the yeas and nays thereon, and the motion was lost. Yeas 17; nays 22.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Bass, Carlisle, Nicholas Davis, W. P. Davis, N. S. Graham, Hendree, Henshaw, J. W. W. Jackson, Oates, Rowe, Shelley, W. M. Smith, Walker and Watkins.

Those who voted in the negative are, Messrs. Armstrong, Ashley, Austin, Beck, Boon, Campbell, Cooper, Cox, Nathaniel Davis, Earnest, W. C. Graham, Hall, Howard, Porter King, Lea, McCaskill, McMullen, Nicks, Robinson, John Smith, Shorter and Stone.

On motion of

Mr. Allen, the vote just taken was re-considered, and the House adjourned until to-morrow morning, 10 o'clock.

TUESDAY, January 13, 1852.

The House met pursuant to adjournment.

The bill to amend the city charter of Montgomery, was taken from the general orders, on motion of Mr. Moss, and read the second time.

Mr. Moss moved to amend, by striking out of the third and fourth lines of section seven, the words "Marshal and," out of the seventh line of said section, the word Marshal, where it occurs between the words "such and deputy."

Said amendment was adopted and the constitutional rule being suspended, the bill was read a third time forthwith and passed.

Bills were introduced by:

Mr. Howard, to make permant the court house in the county of Autauga, accompanied by petition:

Mr. Walton, authorizing the School Commissioners in the townships fourteen and fifteen, range twenty-six, in the county of Russell, to retain the notes given for sixteenth section until due and collected.

Said bills were severally read, and the constitutional rule being suspended, was read the second time forthwith and ordered to be engrossed for a third reading.

Mr. Cooper presented a joint memorial to the Congress of the United States, upon the subject of lands and rail and plank roads, which was read and referred to the Committee on Internal Improvement.

Mr. Holly presented the petition of John Powell *et al.*, which was referred to the Committee on Propositions and Grievances.

Mr. Warren introduced a bill appropriating a portion of the three per cent. fund in aid of the Wills' Valley Railroad, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the Committee on Internal Improvement.

Bills were introduced by:

Mr. Tarrant, for the relief of James McAdow:

Mr. Stone, amending the act prescribing the mode of electing and defining the duties of Tax Assessors and Collectors, approved February 11, 1850.

Said bills were severally read and ordered to a second reading.

Mr. Earnest presented the petition of J. E. Sullivan *et al.*, which was referred to the Committee on the Sixteenth Section Fund.

Mr. Critcher introduced a bill to provide for the payment of a certain claim against the State, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Ways and Means.

Mr. F. S. Jackson presented the petition of T. H. Watts *et al.*, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. Stone presented the petition of E. F. Gore, which was referred to the Committee on Ways and Means.

Bills were introduced by:

Mr. Stone, for the relief of Sophirie West.

Mr. Hopkins, to anthorize the governor to purchase books to supply the loss by fire in the burning of the capitol, of books in State library.

Mr. Wallace, to alter and amend the patrol laws, now in force in the county of Choctaw.

Said bills were severally read; and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on the Judiciary.

Mr. Wallace introduced a bill to incorporate the Alabama Historical Society, which was read; and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Corporations.

Mr. Wallace presented the account of B. W. Cammer, which was referred to the Committee on Accounts.

Mr. Walker, from the committee on the judiciary, made the following report:

The committee on the judiciary, who were instructed by resolution of the House, to enquire whether or not under existing laws, members of the Legislature are entitled to *per diem* while absent, have had the matter referred to in said resolution under consideration, and instruct me to report that members of the Legislature are not entitled to *per diem* while absent, unless they are detained by sickness after leaving home, in coming to the place when the general assembly is in session, or else after arriving at the place where the general assembly is in session, they are unable by reason of sickness to attend the House of which they are members.

R. W. WALKER, Chairman.

Mr. Rowe moved to recommit said report with instructions to report a bill, and withdrew said motion.

Mr. Phillips moved to lay said report on the table, pending which the hour of 11 having arrived, the House proceeded to the consideration of the first special order, it being the bill to extend the charter of the Mobile bank.

Mr. P. Williams moved to amend as follows:

Provided, That said bank shall receive on deposit the funds of the county or city of Mobile, and pay out the same in such money as may be drawn for, for which it shall receive no compensation.

Said amendment was adopted and the bill was ordered to be engrossed for a third reading.

The House then proceeded to the consideration of the second special order, it being the bill to promote the prosperity of the people of Alabama by developing the agricultural, mineral, manufacturing and commercial resources of the State.

The question recurred on ordering said bill to be engrossed for a third reading, pending which the hour of 1 P. M. having arrived the House adjourned.

AFTERNOON SESSION, January 13, 1852.

The House met and resumed the consideration of the special order, it being the bill to promote the prosperity of the people of Alobama by developing the agricultural, mineral, manufacturing and commercial resources of the State.

Mr. Wallace moved by two additional sections as follows: Strike out all after the enacting clause in 4th section and insert the following:

SEC. 4. *Be it enacted, &c.*, That the governor of the State is hereby authorised to endorse the bonds of the Memphis and Charleston Rail Road Company; the Montgomery and Mobile Rail Road Company; the Alabama and Tennessee River Rail Road Company; and the Mobile and Ohio Rail Road Company, each for five hundred thousand dollars, as follows:

When either of said companies shall have procured bone fide subscriptions for the capital stock in said company to an amount sufficient to grade, bridge and prepare for the iron rails the whole extent of the main track line proposed to be constructed by said company, and it shall be shown by said company to the satisfaction of the governor, by the affidavits of the president and chief engineer of said company, and by such other proof as he may require, that said subscriptions are valid and solvent, and whenever said company shall have constructed, completed, and in all respects placed in running order a section of thirty miles of said road within the limits of the State, and fully paid for the same out of the subscriptions of stock to said company, and that fact is shown to the satisfaction of the governor by such proof as he may require, and also that there is no lien or incumbrance of any description on said section, or any part thereof, and further, that the iron rails put upon said section are either the *U* rail, of not less than eighty tons to the mile, or the *T* rail, of not less than ninety tons to the mile, then the bonds of said compony to the extent of $250,000 shall be endorsed by the governor under the seal of the State; and whenever a second section of thirty miles of said road within the limits of the State shall be graded, bridged and fully prepared for the reception of the iron rails, with good materials for putting on the rails and equipments, and the governor is (by such proof as he may require) satisfied of this fact, and further, that said first and second sections, or either of them, or any part thereof, are not subject to any lien or incumbrance whatever, then the stationary lien in favor of the State as hereinafter provided for, and also that all the work done, materials used, and expenses incurred on said second section in grading, bridges, and preparing the same for the reception of the iron rails, have been fully paid for out of the subscriptions of stock to said company, and the proceeds of said bonds for $250,000, endorsed by the governor, on the completion of the first section, then the bonds of said company for the further sum of $250,000, shall be endorsed by the governor under the seal of the State.

Provided, There had been no default made in reference to the bonds endorsed for the first section of thirty miles, and that in all cases of such endorsement the Governor shall require the bond of the company, with full and ample personal security, conditional that the proceeds so endorsed by the Governor, with the exception in the case of the Memphis and Charleston Railroad Company, hereinafter mentioned, shall be used by said company for the purpose of procuring rails, (of the description above specified) chains, spikes and equipments for said road, and not otherwise. And in case of all of said road, except the Mobile and Ohio Road, that said iron rails, chains, spikes and equipments so purchased with the proceeds of said bonds, shall be placed on that portion of said road within the limits of this State, and not otherwise.

Provided, however, That in the case of the Memphis and Charleston Railroad, it shall be a condition of each of said bonds executed by the company to the Governor, that $40,000 of the proceeds of each of said set of bonds for $250,000, so endorsed, shall be applied to the construction of the branch from a point at or near Tuscumbia on said road, to the north side of the Tennessee river.

Sec. 5. *Be it enacted, &c.*, That the Governor is hereby authorised to endorse the bonds of the Alabama and Tennessee River Railroad Company for the further sum of $250,000. in addition to the endorsement in the foregoing section, provided for as follows: When said company shall have constructed, completed in all respects, placed in good running order, with iron rails of the description in the foregoing section mentioned, one hundred miles of said road, and fully paid for the same out of the subscription of stock to said company and the proceeds of said bond for $250,000. endorsed by virtue of the foregoing section of this act, and the Governor is (by written affidavits of the officers of said company. and by such other proof as he may require) satisfied of these facts, and also that there is no lien or incumbrance other than the statutory lien in favor of the State on said road, then the bonds of said company to the extent of $250,000 shall be endorsed by the Governor under the seal of the State; the Governor first taking bond. with the same conditions and stipulations as provided for in the foregoing section. provided there had been no default made in reference to the bonds previously endorsed for said company. according to the provisions of the foregoing section.

On motion of Mr. Nath. Davis, the House resolved itself into a Committee of the Whole House, to consider of the above special order, Mr. Nath. Davis in the chair.

After some time spent in deliberation thereon the committee rose, and through their chairman reported progress. and asked and obtained leave to sit again.

On motion of Mr. Oates, one hundred copies of the amendment offered by Mr. Walker were ordered to be printed.

The above bill was made the special order for the hour of 11 o'clock on to morrow, and then the House adjourned.

NIGHT SESSION, January 13, 1852.

The House met pursuant to adjournment, and there being no quorum, Mr. Nich. Davis moved a call of the House, and demanded the yeas and nays thereon. Said motion was lost. Yeas 7; nays 21.

Those who voted in the affirmative are, Messrs. Allen, Nich. Davis, Porter King, Robinson, Stone, Walker and G W. Williams.

Those voting in the negative are, Messrs. Speaker, Allison, Armstrong, Beck, Benham, Boon, Bradford, Bulger, Campbell, Cox, N S. Graham, Howard, Manasco, Moragne, McCollum, Oates, Reaves, W. M. Smith, Stephens, Sterrett and Turner.

Mr. Robinson moved a call of the roll, and the following members answered to their names:

Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Bass, Beck, Boon, Bradford, Bulger, Campbell, Cooper, Cox, J. W. Davis, Nich. Davis, Freeman, N. S. Graham, W. C. Graham, Henshaw, Howard, Porter King, Moragne, McCaskill, McCollum, Nicks, Oates, Reaves, Robinson, Rowe, Shorter John Smith, W. M. Smith, Stephens, Sterrett, Stone, Turner, Walker, G. W. Williams and Wilson.

Mr. Campbell moved to adjourn.

Mr. Robinson demanded the yeas and nays, and the motion prevailed. Yeas 24; nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Bass, Benham, Bradford, Cooper, Cox, Goldsby, N. S. Graham, Henshaw, Howard, Manasco, Moragne, McCollum, Nicks, Reaves, Robinson, Rowe, W. M. Smith, Stephens, Turner, Walker and G. W. Williams.

Those who voted in the negative are, Messrs. Allen, Ashley, Beck, Boon, Bulger, Campbell, J W. Davis, Nich. Davis, Earnest, Freeman, W. C. Graham, Porter King, McCaskill, McMullen, Shelley, Shorter, John Smith, Sterrett, Stone and Wilson.

WEDNESDAY, January 14, 1852.

The House met pursuant to adjournment.

The bill to incorporate the Alabama Direct Trade and Exchange Company, was taken from the general orders and read the third time and passed.

Mr. Booth introduced a bill to prevent the sale of spirituous liquors to free persons of color, which was read, and the constitutional rule being suspended, was read a second time, forthwith, and referred to the Committee on Ways and Means.

Mr. Booth introduced joint resolutions "to authorise the Bank

Commissioners to settle a debt, therein named, due the Branch Bank at Mobile," which was read, and the constitutional rule being suspended, was read the second time, forthwith, and referred to the Committee on the State Bank and Branches.

Mr. Allen presented the petition of the citizens of Benton county, which was referred to the Committee on the Military.

Mr Hendree introduced a bill "in relation to the sessions of the Supreme Court," which was read, and the constitutional rule being suspended, was read the second time, forthwith, and ordered to be engrossed for a third reading.

Bills were introduced by

Mr. W. M. Smith, in relation to sheriffs's sales in the county of Franklin:

Mr. Watkins, to consolidate certain captains' beats in the county of Franklin:

which were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

Mr. Gonder presented the petition of Hardy H. King, et al. which was referred to the Committee on Corporations.

Bills were introduced by

Mr. Armstrong, to provide for taking the sense of the voters of the several townships of this state in regard to the consolidation of the 16th Section Fund:

Mr. Bennett, to abolish, and establish certain election precincts therein named,

which were severally read, and ordered to a second reading.

The House proceeded to the consideration of the special order for this hour, quarter past ten, it being the joint resolution to amend the constitution of the State of Alabama.

Mr. Freeman moved to lay on the table, which was lost, and the joint resolutions were ordered to be engrossed for a third reading.

Mr. Phillips introduced a bill to authorise county subscriptions, for the purpose of constructing rail roads or plank roads, which was read, and the constitutional rule being suspended, was read th second time, forthwith, and referred to the Committee on Internal Improvements.

Mr. Nathaniel Davis by leave, introduced the following resolution:

Resolved, That the resolution requiring this House to meet at 7 o'clock at night be and the same is hereby rescinded.

2. Be it farther resolved, that the resolution set for that hour be made the special order for to-morrow at 3 o'clock.

Mr. Rowe offered the following amendment:

"And that the debate shall close, and the vote be taken at 4 P. M. on Friday next."

Mr. Cooper moved to lay said amendments on the table. Carried.

Mr. Cooper moved to amend as follows, which was adopted, "And that the vote be now taken on the joint resolution."

Pending the question on its adoption, the hour of 11 having arrived, the House resolved itself into a committee of the whole, on the bill to promote the prosperity of the people of Alabama, by developing its agricultural, mineral, manufacturing and commercial resources.

After some time spent in deliberation, the committee rose, and through their chairman, reported progress, and asked and obtained leave to sit again at 3 P. M. this afternoon, and the special order was postponed to said hour.

The question then recurred on the adoption of the resolution offered by Mr. Nathaniel Davis on this morning.

Mr. Bulger demanded the yeas and nays thereon, and the resolution was not adopted. Yeas 25; nays 56.

Those who voted in the affirmative are, Messrs. Allison, Austin, Benbow, Bennett, Boon. Booth, Brown, Bussey, Cox, Nathaniel Davis, Goldsby, N. S. Graham, Hopkins, Howard, Lea, Majors, Manasco, Moragne, McCollum, Rowe, Stephens, Turner, Warren, Seaborn Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Banks, Bass, Bulger, Byrd, Caffey. Campbell, Carlisle, Critcher, J. W. Davis, W. P. Davis, Earnest, Gladney, Glover, Gonder, W. C. Graham, Hall, Henderson, Hendree, Henshaw, Holley, F. S. Jackson, J. W. W. Jackson, Jones, P. King, Liddell, McCaskill, McMullen, Moss, Nicks, Oates, Petty, Phillips, Pool, Prentice, Presley, Price, Reaves, Roper, Shelley, Shorter, John Smith, Sterritt, Snowdon, Stone, Tarrant, Walker, Wallace, Walton, Watkins, Webb, P. Williams, Williamson and Woolsey.

On motion of

Mr. Ashley, the rule requiring the House to meet at 7 o'clock, was suspended for this night.

Mr. Price Williams, from the committee to whom was referred, the bill to change the mode of receiving and disbursing the revenue of Mobile county, and for other purposes, reported back said bill without amendment.

Pending the question on ordering said bill to a third reading, the hour of one o'clock having arrived, the House adjourned.

AFTERNOON SESSION, January 14, 1852.

The House met pursuant to adjournment, and resolved itself into a committee of the whole on the bill to promote the prosperity of the people of Alabama, by developing its agricultural, mineral, manufacturing and commercial resources. Mr. Nathaniel Davis in the chair.

After some time spent in deliberation, the committee rose, and through their chairman, reported progress and asked and obtained leave to sit again.

The hour of 5 P. M. having struck, the House adjourned.

THURSDAY, January 15, 1852.

The House met pursuant to adjournment.

Mr. Bradford introduced the following resolution:

"*Resolved*, That the assistant clerk of this House, be authorized to employ an additional assistant, at a price not to exceed five dollars per day, to aid in bringing up the necessary business, enrolling bills, &c."

Mr. Wilson moved to amend by striking out five, and inserting four, and withdrew said motion, and the resolution was adopted.

The question recurred on laying on the table, the report made by Mr. Walker, on the 13th, in relation to the right of absent members to receive the per diem pay.

Mr. Phillips withdrew said motion.

Mr. F. S. Jackson renewed said motion, and demanded the yeas and nays thereon, and the motion prevailed. Yeas 42, nays 25.

Those who voted in the affirmative are, Messrs. Bass, Benbow, Benham, Bennett, Booth, Boon, Bradford, Bulger Bussey, Caffey, Clements, Cooper, Cox, J. W. Davis, Glover, Gonder, N. S. Graham, W. C. Graham, Henshaw, Holly, Hopkins, Jones, Porter King, Lea, Liddell, Manasco, Moragne, McCollum, Moss, Phillips, Reaves, John Smith, W. M. Smith, Snowdon, Stone, Tarrant, Turner, Walton, Watkins, Whitsitt, S. Williams and Woolsey.

Those who voted in the negative are, Messrs Speaker, Ashley, Banks, Beck, Brown, Campbell, Carlisle, Coleman, Critcher, W. P. Davis, Howard, F. S. Jackson, Majors, McCaskill, McMullen, Oates, Pettey, Pool, Price, Rowe. Shorter, Stephens, Sterrett, Walker and Wilson.

Mr. Walker, from the Committee on the Judiciary, reported adversely to the following bills:

To regulate the publication of legal notices in the counties of this State:

To authorise the judge of probate and others to take bonds in certain felonies, &c., and to the petition of the merchants of Selma:

Said reports were severally concurred in.

Mr. Walker, from the same committee. reported adversely to the bill for the relief of the children of Wm. W. Paschal and Phereby, his wife.

Mr. Jones moved to lay said report on the table, which was lost, and the report was concurred in.

Mr. Walker, from the same committee, reported back the bill to repeal in part an act therein named, &c., with an amendment, which was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, reported adversely to the bill authorising Elizabeth Hines of Sumter county, to invest monies of estate of C. A. Hines, deceased.

On motion of Mr. Whitsitt, the report and bill were laid on the table.

Mr. Price Williams, from the select committee to whom was referred the bill to incorporate the Peoples' Spring Hill Plank Road or Shell Road in Mobile, reported the same back with an amendment, which was concurred in, and the bill engrossed for a third reading.

Mr Price Williams, from the select committee to whom was referred the bill to provide for contesting the municipal elections for Mobile, &c., reported a substitute therefor, which was adopted, and the bill ordered to be engrossed for a third reading.

Mr. Armstrong, from the committee on the judiciary, reported adversely to the bill to regulate justices' courts and for other purposes.

On motion of Mr. Wilson, the report was laid on the table.

Mr. Cox moved to amend the amendment of the Senate by striking out ten and inserting five in the second section, which was lost, and the House refused to concur in the amendment of the Senate.

Mr. Moss introduced a bill to repeal in part an act therein named, which was read and ordered to a second reading.

The hour of 11 having arrived, the House resolved itself into a committee of the whole to consider the bill to promote the prosperity of the people of Alabama by developing its agricultural, mineral, manufacturing and commercial resources. Mr. Byrd in the chair.

After some time spent in deliberation, the committee rose, and through their chairman reported progress, and asked and obtained leave to set again at three o'clock, and said special order was postponed to said hour.

The hour of 1 P. M. having arrived, the House adjourned.

Afternoon Session, January 15, 1852.

The House met pursuant to adjournment, and resolved itself into a committee of the whole on the bill to promote the prosperity of the people of Alabama by developing its agricultural, mineral, manufacturing and commercial resources. Mr. Nathaniel Davis in the chair.

After some time spent in deliberation, the committee rose, and through their chairman reported the bill back with amendments, and asked to be discharged from the further consideration of the same. The committee was so discharged.

Mr. Oates moved to postpone the further consideration of the bill and amendments until the 9th of February, pending which the hour of 5 P. M. having arrived the House adjourned.

NIGHT SESSION, January 15, 1852.

The House met pursuant to adjournment.

On a call of the roll the following members answered thereto: Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Beck, Benbow, Boon, Booth, Brown, Bulger, Byrd, Caffey, Campbell, Carlisle, Cooper, Cox, J. W. Davis, Nathaniel Davis, Glover, N. S. Graham, W. C. Graham, Henderson, Hendree, Henshaw, Howard, F. S. Jackson, J. W. W. Jackson, Lea, Liddell, Moragne, McCollum, McMullen, Oates, Pool, Reaves, Robinson, Shelley, John Smith, W. M. Smith, Stephens, Sterrett, Snowden, Tarrant, Whitsitt, G. W. Williams, P. Williams and S. Williams.

Mr. F. S. Jackson moved to adjourn, which was lost.

On motion of

Mr. Robinson, the doorkeeper was sent for absentees.

Mr. Henshaw moved to adjourn.

Mr. Bulger demanded the yeas and nays thereon, and the motion was lost. Yeas 10; nays 33.

Those who voted in the affirmative are, Messrs. Allison, Boon, Henshaw, McCollum, Pool, Reaves, Stephens, Sterrett, G. W. Williams and S. Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Beck, Benbow, Booth, Brown, Bulger, Byrd, Caffey, Carlisle, Cooper, Cox, J. W. Davis, Nathaniel Davis, Glover, N. S Graham, W. C. Graham, Henderson, Hendree, Howard, Liddell, Moragne, McMullen, Oates, Robinson, John Smith, W. M. Smith, Snowden, Tarrant, Whitsitt and P. Williams.

On motion of Mr. Ashley the roll was called, and the following members answered thereto:

Messrs. Speaker, Allen, Armstrong, Ashley, Benbow, Boon, Booth, Brown, Bulger, Byrd, Caffey, Carlisle, Cooper, Cox, J. W. Davis, Nath. Davis, Gladney, N. S. Graham, W. C. Graham, Henderson, Hendree, Henshaw, Holly, Howard, J. W. W. Jackson, Liddell, Moragne, McAlister, McCaskill, McCollum, McMullen, Oates, Pettey, Reaves, Robinson, Shelley, John Smith, Stephens, Snowden, Tarrant, Walton, Whitsitt, P. Williams and Williamson.

And there being no quorum the House adjourned.

FRIDAY, January 16, 1852.

The House met pursuant to adjournment.

The Speaker laid before the House a record of divorce, which was referred to the Committee on Divorce and Alimony.

Bills were introduced by:

Mr. Price, to increase the tax on sales of merchandise manufactured or bought in non-slaveholding States:

Mr. Carlisle, to authorise the appointment of guardians at law for free persons of color:

Mr. W. C. Graham, to authorise the building of a mill on Tennessee River:

Mr. W. C. Graham, to aid common schools, and for other purposes:

Mr. McCaskill, to change the place of holding the chancery court for the second district of the southern division of Alabama: and

Mr. McAllister, from the Committee on the Military, reported joint resolutions to adopt and provide for printing and distributing the amended Military Code, prepared by the Committee on the Military at the session of 1851–2:

Mr. Snowden introduced a bill making appropriations to pay the members and officers of the General Assembly, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Wilson moved to refer said bill to the Committee on Ways and Means, which was lost.

The constitutional rule being suspended, the bill was read the third time forthwith, and passed.

Bills were introduced by:

Mr. Boon, to appropriate ten thousand dollars of the three per cent. fund for the purpose of removing the obstructions in the navigation of the Choctawhatchee river:

Mr. Whitsitt, to incorporate the Gainesville and Mississippi Railroad Company:

Which were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Internal Improvement.

Mr. Wilson presented the account of D. S. Horton, and Mr. Tarrant the account of Jas. A. Mudd, which were referred to the Committee on Accounts.

Mr. W. C. Graham introduced a bill for the relief of John Blizzard, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Accounts.

Mr. Critcher introduced a bill to establish a new company beat in Marshall county, which was read, and the constitutional rule being suspended, was read a second time forthwith, and referred to the Committee on the Military.

Mr. Stone introduced a bill for the relief of Peter McGee, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Ways and Means.

On motion of Mr. Lea, the vote on concurring in the report of the Committee on the Judiciary adverse to the petition of merchants of Selma, was reconsidered, and the report laid on the table.

Mr. Hall, from the Committee on Ways and Means, reported back the bill for the relief of Y. C. Hall, with an amendment, which was concurred in, and the bill ordered to be engrossed for a third reading.

Mr. Price Williams, from the same committee, reported a bill for the relief of John Schirm, which was read, and the constitutional rule being suspended, was read the second and third times and passed.

Mr. S. Williams, from the same Committee, reported adversely to the bill for the relief of certain persons therein named.

Mr. Jones, from the same committee, reported adversely to the bill to authorise the commissioners' court of Madison county to correct certain mistakes in the collection of the revenue of said county: and

Mr. Bulger, from the Committee on the Military, reported adversely to the petition of citizens of Benton county to exempt millers from military duty:

Said reports were severally concurred in.

Mr. Henderson, from the Committee on the Military, reported back the bill to authorise the Governor to furnish arms to the Orrville Institute, without amendment, and the bill was ordered to be engrossed for a third reading.

Mr. Porter King, from the Committee on Education, reported back the bill to establish the McGehee College, with amendments, which was concurred in, and the constitutional rule being suspended, said bill was read the third time and passed.

Mr. Goldsby, from the Committee on Propositions and Grievances, reported back a bill for the relief of Wm. B. Locke, which was read, and the constitutional rule being suspended, was read a second and third time forthwith.

Mr. Nath. Davis demanded the yeas and nays on the passage thereof, and the bill was passed. Yeas 69; nays 5.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Benham, Boon, Booth, Bradford, Brown, Bulger, Bussy, Byrd, Caffey, Campbell, Clements, Critcher, J. W. Davis, Nich. Davis, W. P. Davis, Glover, Goldsby, N. S. Graham, W. C. Graham, Hall, Hendree, Holly, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Porter King, Lea, Liddell, Majors, Moragne, McAllister, McCaskill, McCollum, Oates, Pettey, Phillips, Pool, Reave, Robinson, Roper, Rowe, Shelley, Shorter, W. M. Smith, Stephens, Sterritt, Snowden, Stone, Tarrant, Walker, Walton, Watkins, Webb, Whitsitt, S. Williams, Williamson, and Woolsey.

Those who voted in the negative are, Messrs. Coleman, Cox, Nathaniel Davis, Henderson, and McCollum.

Mr. Shelley gave notice that he would make a motion to reconsider the vote concurring in the report of the Committee on the Judiciary, against the bill to regulate the publication of legal notices in the counties in this State.

Mr. N. S. Graham, from the select committee to whom was referred the petition of the citizens of Wetumpka, and others, reported a bill "to improve the navigation of the Coosa river, and for other purposes," which was read and ordered to a second reading.

Mr. Goldsby, from the Committee on Propositions and Grievances, reported a bill for the relief of Thomas T. Tunstall, and others, which was read, and the constitutional rule being suspended, was read a second and third times, forthwith, and passed.

Mr. Robinson by leave introduced a joint resolution to pay B. H. Spyker, which was read, and ordered to a second reading.

Mr. Cooper presented the account of Andrew Poor and Murphy Douglass, which was referred to the Committee on Propositions and Grievances.

Mr. J. W. W. Jackson introduced the following resolution, which was adopted:

Resolved, That the Committee on Ways and Means be instructed to inquire into the expediency of limiting the sessions of the General Assembly of this State, and that they have leave to report by bill or otherwise.

Mr. Manasco introduced the following resolution:

Resolved, That it is inexpedient for the Legislature to pass any law authorising or requiring the Governor to indorse the bonds of any company, incorporated or unincorporated, in or out of this State, for the purpose of aiding in the construction of works of internal improvement, or otherwise.

Pending which the hour of 1 P. M. having arrived, the House adjourned.

ATTERNOON SESSION, January 16, 1852.

The House met pursuant to adjournment.

Mr. Shorter, from the Committee on the Judiciary, reported back the petition of the citizens of Lauderdale county, as having been improperly referred. The report was concurred in, and the petition was referred to the Committee on Propositions and Grievances.

Mr. McMullen introduced the following resolution, which was adopted.

Resolved, That the rule requiring this House to meet at 7, and adjourn at half past 9, be and is hereby rescinded.

The question recurred on the adoption of the resolution offered by Mr. Manasco,

Mr. Shorter moved to amend said resolution by adding the words " unless such security shall be demanded of the company receiving said indorsement as in the opinion of the General Assembly, shall protect the State from all loss, and unless it shall be provided that the act ordering said indorsoments shall receive the approval of a majority of the legal voters of the State, at the ballot box, before it shall bind the State.

Mr. Byrd moved to lay the resolution and amendment on the table,.

Mr. Manasco called a division of the question.

Mr. N. S. Graham moved the postponement of the resolution and amendment until Wednesday next, and to be made the special order of 11, of said day.

Mr. Manasco demanded the yeas and nays thereon, and the motion prevailed. Yeas 57, nays 22.

Those who voted in the affirmative are, Messrs, Allen, Armstrong, Austin, Bass, Benham, Booth, Bradford, Bussey, Campbell, Carlisle, Clements, Cooper, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Gladney, N. S. Graham, W. C. Graham, Hall, Henderson, Hendree, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Porter King, Lea, Liddell, McAllister, McCaskill, McCollum, McMullen, Nicks, Petty, Phillips, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, W. M. Smith, Stephens, Sterritt, Stone, Tarrant, Turner, Walker, Wallace, Whitsitt, P. Williams, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allison, Ashley, Benbow, Boon, Brown, Byrd, Caffey, Coleman, Cox, Glover, Holly, Majors, Manasco, Moss, Oates, Pool, John Smith, Snowdon, Walton, Webb, and S. Williams.

Mr. Moss moved to suspend the rule requiring the House to adjourn at 5 o'clock.

Pending which the hour of 5, P. M., having arrived, the House adjourned.

SATURDAY, January 17, 1852.

The House met pursuant to adjournment.

Mr. Speaker laid before the House, a record of divorce, which was referred to the Committee on Divorce and Alimony.

Mr. Allen presented the petition of the men, women and boys of Jacksonville, which was referred to the Committee on Ways and Means.

Mr. McMullen introduced a bill to change the mode of appointing tax assessors in the county of Butler, which was read, and the constitutional rule being suspended, was read the second time forthwith.

On motion of

Mr. F. S. Jackson, said bill was laid on the table.

Mr. Presley introduced a bill defining certain duties of the owners, proprietors and agents of ware houses and rail road depots, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Ways and Means.

Mr. McCollum introduced a bill to make an appropriation to aid in clearing out the obstructions of Sipsey river, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Internal Improvement.

Mr. Webb introduced a bill to compensate John D. Holly, which was read, and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee on Propositions and Grievences.

Mr. Jones presented the petition of William C. Oliver, which was referred to the Committee on Propositions and Grievences.

Mr. Wilson presented the account of William Garrett, which was referred to the Committee on Accounts.

Mr. Austin introduced a bill to loan a portion of the two per cent. fund to the Memphis and Charleston Railroad Company, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Internal Improvement.

Mr. W. C. Graham introduced a bill to raise a common school fund, which was read, and the constitutional rule being suspended was read the second time forthwith and referred to the Committee on Education.

Mr. W. C. Graham introduced a bill to provide for the election of members to the State Convention, and for other purposes, which was read and the constitutional rule being suspended, was read the second time forthwith.

On motion of

Mr. Nicks, said bill was laid on the table.

Mr. Byrd, from the committee appointed to audit and settle the accounts of Francis S. Lyon, commissioner and trustee, to settle the affairs of the State bank and branches, made the following report:

The Joint Committee appointed to examine, audit and report on the account of F. S. Lyon, Commissioner and Trustee to settle the affairs of the State Bank and Branches, have performed the duty assigned them and instructed me to submit the following Report:

That they might have convenient access to all the reports, accounts and vouchers connected with the business of the banks within the last two years, and the transactions of the Commissioner, who has had the direction and control of their affairs, the committee have held their sessions at the banking house of the Branch Bank in this place, where they were furnished with all reports, accounts, vouchers, papers and explanations necessary to an intelligible and proper discharge of the duties of their appointment.

The statements of the several Banks, showing the amounts collected at each, from the 1st November, 1849, to 1st November, 1851, referred to in the report of the Commissioner, in his report of 25th November last, were placed before the committee; also the accounts from each of the Banks, made out by the assistant Commissioners, showing the several sums of money charged at each, to the account of the Commissioner since the date of the settlement of his accounts by the committee of the last General Assembly.

From which settlement there was shown an unexpended cash balance of $564,314 64, besides the sum of $1,100,000, in six per cent. treasury notes and Government stock. This cash balance of $564,314 64, forms the first item on the credit side of the Commissioner's general account of receipts and disbursements from 1st November, 1849, to 1st November, 1851.

Your Committee first examined the debit side of this account, which shows not only the several sums received, but also the source from which each was received; and shows also a strict agreement in each item with the several amounts charged by the assistant Commissioners. They found the aggregate amount received by the Commissioners, from all sources, including the State Treasury, from the 1st November, 1849, to 1st November, 1851, to have been $3,528,061 19, which amount, when compared with the vouchers, was found correct.

They next examined the credit side of the account, shewing the amounts expended and on hand, which, upon careful comparison of the several items, with their respective vouchers, was also found correct. The aggregate of credits made the sum of $3,475,956 80, leaving a cash balance unexpended in the hands of the Commissioner, of $52,104 39, besides $447,000 in United States six per cent. stock of 1867. Each item on the credit side of the account was sustained by a satisfactory voucher, and was, in the opinion of your committee, strictly in accordance with law. The balance of cash on hand was shown to be to the credit of the Commissioner, in the Bank of Mobile and the Merchants' Bank of New York.

The Committee next proceeded to adjust the bond account, by examining and counting the bonds redeemed since the 1st November, 1849, as shown in the Commissioner's report to the present legislature.

Upon a careful examination of the account, and count of the bonds on hand, they found the report as to the amount redeemed since the last session of the legislature, as well as the amount now outstanding, to be strictly correct. The amount redeemed since last session is $2,258,222 21. The bonds now outstanding and the annual interest thereon are, as shown in the following tabular statement; from which it appears, as stated by the Commissioner, that the principal hereafter to be provided for, after deducting the the United States six per cent. stock on hand, is $3,983,616 77; and the annual interest to be provided for on account thereof, is $206,353 33.

TABLE OF OUSTANDING BONDS ON 1st NOVEMBER, 1851.

Where payable.	Rate of interest.	When redeemable.	Amount of bond.	Annual interest.	Where payable.
London....	6 per cent.	1870	$ 729,000 00	$ 43,740 00	Union Bank, London..
Do	5 per cent.	1866	725,000 00	36,250 00	Do.&Rothschild&Son
Do	5 per cent.	1858	594,666 67	29,733 33	Gowan&Marx, Lon'n.
New York.	6 per cent.	1870	100,000 00	6,009 00	Merchants' B'k, N. Y.
Do	5 per cent.	1865	57,000 00	2,850 00	Phœnix Bank, "
Do	5 per cent.	1863	2,102,000 00	105,100 00	" " "
Do	5 per cent.	1852	109,000 00	9,500 00	" " "
			$4,497,666 67	$ 233,173 33	
Less for $449,000 U. S. 6 per cent stock at $115			514,050 00	26,820 00	
To be provided for..............			$3,983,616 67	$ 206,353 33	

Your Committee recommend that the bonds that have been redeemed be cancelled and deposited in the office of Treasurer of the State, who shall make a register of the same. In accordance with which recommendation, the committee have instructed me to report the accompanying bill.

On examination of the profit and loss account of the Commissioner, your committee find that by his operations in exchange, and in the purchase of Treasury notes and six per cent. stock, there has been a net profit to the State of $397,708 60, in which sum is embraced one entry of accruing profit added to the account since the report on 25th November last, and which accounts for the difference between the above sum and the amount shown in the report.

This profit, large as it may seem, has actually accrued to the State by the able and skilful management of the Commissioner and Trustee, and is independent altogether of any saving to the State in the redemption of bonds.

In all payments at a distance, the funds have been transported without loss and upon terms highly advantageous to the State. No premium has been paid in transferring funds to New York; and in placing funds in England, the rate of exchange has in no instance exceeded seven and a half per cent., when the par of exchange is known to be much higher. Every transaction of the Commissioner that has come under our observation and examination, has shown the most scrupulous exactness as to amounts received and disbursed, as well as great care and economy in the management of the public funds. The system adopted has been well calculated to secure promptness and accountability.

The reports from the Banks show what debts have been collected and the amount received in each case. These reports operate as a check upon the assistant Commissioners, and furnish the evidence of what the Commissioner himself receives from each Bank, whilst he accounts directly to the legislature.

The system in the opinion of your committee, has not only been well arranged, but has been well executed, as the result has conclusively shown.

The account of the Commissioner, which we have examined and settled, has been prepared so as to show with much clearness the money received and the amount paid out—there being no item of expenditure stated that is not accompanied by its proper voucher, showing to whom, when, and on what account paid, with all necessary particularity. This account is stated in duplicate, and the duplicate and original, after having been prepared and found correct, have been endorsed, under the direction of the committee, by their chairman, with a view that one may be deposited for safe-keeping and future reference, with the Comptroller of Public Accounts, and the other retained by the Commissioner for his voucher of settlement.

Your Committee, in investigating sums so large, and transactions so numerous and complicated as those embraced in the account of the Commissioner, feel it due to him to state that they have not found an error in a single item of his account, nor a single transaction in the whole course of his official duties, of which the slightest complaint can be made. But, on the contrary, they have found that the reduction in our foreign debt, and the collection from the State Bank and Branches under his management, has fully met the high expectations of the legislature and the country. We would, therefore, most earnestly recommend his continuance in office under the existing laws, with the modifications proposed in the accompanying bill, which I am instructed to report and to recommend its passage.

On motion of

Mr. Jones, said report was laid on the table, and five hundred copies thereof ordered to be printed.

Mr. Byrd from the same committee, reported a bill to provide for cancelling and registering the State bonds, when redeemed, which was read and ordered to a second reading.

Mr. Byrd, from the same committee, reported a bill to continue the office of commissioner and trustee to settle the affairs of the State bank and branches, and for other purposes, which was read and the constitutional rule being suspended, was read the second time forthwith, and ordered to be engrossed for a third reading.

Mr. Goldsby, from the committee on Propositions and Grievances, reported back the bill for the relief of Miles White without amendment; and the constitutional rule being suspended, said bill was read the third time forthwith and passed.

Mr. Golsby, from the same committee, reported a bill for the relief of James Parker, which was read; and the constitutional rule being suspended, was read the second and third times forthwith and passed.

The hour of 11 o'clock having arrived, the House proceeded to the consideration of the special order for said hour, it being the bill to promote the prosperity of the people of Alabama by developing its agricultural, mineral, manufacturing and commercial resources.

Mr. Oates, by leave, withdrew his motion to postpone the consideration of said bill until the 9th of February.

The question recurred on the adoption of the amendments adopted by the committee of the whole.

The House refused to concur in the first amendment, by which the commitiee of the whole struck out the words "out of the three per cent. fund" in the first section.

Mr. Byrd moved to lay the bill and amenements on the table.

Mr. Phillips moved a division of the question.

Mr. Byrd withdrew his motion and Mr. Hall renewed the same.

Mr. Phillips withdrew the call for a division of the question, and Mr. Hall renewed it.

Mr. Shorter moved to postpone the bill and amendments and make them the special order for Wednesday next, at the hour of 11 o'clock.

Mr. Byrd moved their postponement to 7th of February.

Mr. Hall demanded the yeas and nays thereon, and the motion was lost. Yeas 23; nays 61.

Yeas—Messrs. Ashley, Benbow, Brown, Bulger, Byrd, Caffey, Cox, Hall, Howard, J. W. W. Jackson, Jones, P. King, Manasco, Moss, Oates, Presley, Rowe, Wesley M. Smith, Snowden, Tarrant. Warren, Webb, S. Williams.

Nays—Messrs Speaker, Allen, Allison, Armstrong, Austin, Banks, Bass, Beck, Bennett, Boon. Booth, Bradford, Bussey, Carlisle, Clements, Coleman, Cooper, Critcher, James W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N S. Graham. W. C. Graham, Henderson, Hendree, Hopkins, F. S. Jackson, Kavanaugh, Lea, Liddell, Majors, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Pettey, Phillips, Pool, Price, Robinson, Shelley, Shorter, Stephens, Sterrett, Stone, Turner, Walker, Wallace, Walton, Watkins, Whitsitt, G. W. Williams, Price Williams, Williamson, Wilson, and Woolsey.

The question recurred on the motion of Mr. Shorter to postpone until Wednesday next.

Mr. Byrd demanded the yeas and nays thereon and the motion prevailed. Yeas 60; nays 24.

Yeas—Messrs. Speaker, Allen, Allison, Austin, Banks, Bass, Beck, Boon, Booth, Bradford, Bulger, Bussey, Campbell, Clements. Cooper. Critcher, J. W. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham. Henderson, Hendree, Holley, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Liddell, Majors, Moragne, McAllister, McCaskill, McMullen, Nicks, Pettey, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shelley, Shorter, W. M. Smith. Stephens, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Warren, Watkins, Whitsitt, G. W. Williams, Williamson, Wilson and Woolsey.

Nays—Messrs. Armstrong, Ashley, Benbow, Bennett, Brown, Byrd, Caffey, Coleman, Cox, Nathaniel Davis. Glover, Hall, Howard, Jones, Porter King, Lea, Manasco, McCollum, Moss, Oates, Presley, Walton. Webb and S. Williams.

The House then proceeded to the consideration of the next special order, it being the bill to apportion the senators and representatives among the several counties of the State.

The question recurred on the adoption of the substitute reported by the select committee.

Mr. Moss moved to lay the bill and substitute on the table.

Mr. Brown demanded the yeas and nays thereon, and the motion prevailed to lay the substitute on the table. Yeas 58; nays 26.

Yeas, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Bass, Benbow, Bennett, Booth, Bradford, Brown, Bulger, Bussey, Byrd, Caffey, Campbell, Carlisle, Coleman, W. P. Davis, Earnest, Glover, W. C. Graham, Henderson, Hendree, Henshaw, Holly, Hopkins, F. S. Jackson, Kavenaugh, Lea, Liddell, Manasco, Moragne, McCollum, McMullen, Moss, Nicks, Oates, Pettey, Pool, Presley, Price, Reaves, Rowe, Shelley, Wesley M. Smith, Snowden, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Price Williams, Seabern Williams, and Woolsey.

Nays, Messrs. Austin, Beck, Boon, Clements, Cox, Critcher, J. W. Davis, Nathaniel Davis, N. S. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Majors, McAllister, McCaskill, Shorter, Stephens, Sterrett, Stone, Turner, Whitsitt, Geo. W. Williams, and Williamson.

The House refused to lay the bill on the table. Yeas 25; nays 56.

Yeas, Messrs. Allison, Ashley, Banks, Bass, Benbow, Booth Brown, Caffey, J. W. Davis, Hendree, Holley, F. S. Jackson' Lea, Majors, Moss, Pettey, Presley, Sterrett, Snowden, Walker, Walton, Warren, Webb, Seabern Williams, and Williamson.

Nays, Messrs. Speaker, Allen, Armstrong, Austin, Bennett, Boon, Bradford, Bulger, Byrd, Campbell, Carlisle, Clements, Coleman, Cooper, Cox, Nathaniel Davis, W. P. Davis, Earnest, Glover, N. S. Graham, Hall, Henderson, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, Kavenaugh, Porter King, Liddell, Manasco. Moragne, McAllister, McCaskill, McMullen, McCollum. Nicks, Oates, Phillips, Pool, Price, Reaves, Rowe, Shelley, Shorter, Wesley M. Smith, Stephens, Stone, Tarrant, Turner, Watkins, Whitsitt, G. W. Williams, Price Williams, Wilson, and Woolsey.

Mr. Snowden moved to amend as follows:

That the representatives of the several counties shall be apportioned at a ratio at forty-one hundred and fifty-eight white inhabitants to a representation, and shall be apportioned among the several counties in the following manner, to wit:

To the counties of Autauga, Baldwin, Choctaw, Clarke, Coffee, Conecuh, Covington, Dale, Hancock, Jefferson, Marion, Monroe, Morgan, St. Clair, Walker, Washington and Wilcox, one representative each.

To the counties of Bibb, Blount, Butler, Coosa, Dallas, DeKalb, Fayette, Green, Henry, Lauderdale, Lawrence, Limestone, Lowndes, Madison, Marengo, Marshall, Montgomery, Perry, Pickens, Randolph, Russell, Shelby and Sumter, two representatives each.

To the counties of Barbour, Benton, Chambers, Cherokee, Franklin, Jackson, Macon, Pike, Talladega, Tallapoosa and Tuscaloosa, three representatives each.

And to the county of Mobile four representatives.

Sec. 2. *Be it further enacted,* That the counties of Barbour, Benton, Chambers, Cherokee, Coosa, Franklin, Jackson, Lauderdale, Macon, Madison, Mobile, Perry, Pickens, Pike, Randolph, Russell, Talladega and Tallapoosa, shall each form one Senatorial district.

The counties of Dale and Henry one,
The counties of Coffee, Conecuh and Covington one,
The counties of Baldwin, Monroe and Wilcox one,
The counties of Choctaw, Clarke and Washington one,
The counties of Greene and Sumter one,
The counties of Dallas and Marengo one,
The counties of Butler and Lowndes one,
The counties of Autauga and Montgomery one,
The counties of Bibb and Shelby one,
The counties of Jefferson and Tuskaloosa one.
The counties of Blount and St. Clair one,
The counties of De Kalb and Marshall one,
The counties of Limestone and Morgan one,
The counties of Hancock, Lawrence and Walker one,
The counties of Fayette and Marion one.

Sec. 3. *Be it further enacted,* That the sheriffs of the counties of Blount, Butler, Clarke, Covington, De Kalb, Fayette, Green, Hancock, Henry, Limestone, Marengo, Monroe, Montgomery, Shelby and Tuskaloosa shall be the returning officers of the senatorial districts to which their counties are attached, and it is hereby made the duty of the sheriffs of the counties in each senatorial district to make to the returning officer of the proper senatorial district, returns of the election held in the respective counties for senator within ten days after any such election, and it shall be the duty of the returning officers of the different senatorial districts to compare the return so made to them, declare the election, make returns, and give certificates to the persons elected, as is now provided by law, and if there should be a tie, shall give the casting vote

Mr. Nath. Davis moved to lay the amendment on the table.

Mr. Snowden demanded the yeas and nays thereon, and the motion prevailed. Yeas 58; nays 27.

Yeas—Messrs. Speaker, Allen, Armstrong, Austin, Beck, Bennett, Boon, Bradford, Brown, Bulger, Bussey, Byrd, Campbell, Clements, Coleman, Cox, Nath. Davis, W. P. Davis, Earnest, Glover, Goldsby, N. S. Graham, W. C. Graham, Hall, Henderson, Henshaw, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Manasco, Moragne, McAllister, McCaskill, McCollum, Oates, Pettey, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, Wesley M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Whitsitt, Geo. W. Williams, Price Williams, Wilson and Woolsey.

Nays—Messrs. Allison, Ashley, Banks, Benbow, Booth, Caffey, Carlisle, Cooper, Critcher, Jas. W. Davis, Hendree, Holley, Lea, Majors, McMullen, Moss, Presley, Snowden, Walker, Wallace, Walton, Warren, Watkins, Webb Seaborn Williams and Williamson.

Mr. Hall moved to amend the first section by inserting after the word "convened" the words, "that the representatives of the several counties shall be apportioned at a ratio of forty-one hundred and fifty-eight white inhabitants to a representative, and shall be apportioned among the several counties in the following manner, to wit:"

Mr. Bulger moved to amend the amendment by striking out 4158 and inserting 4340, and withdrew said motion.

Mr. Shelley moved the previous question, and withdrew said motion

Mr. Hall demanded the yeas and nays on the adoption of his amendment, and the amendment was lost. Yeas 29; nays 49.

Yeas—Messrs. Armstrong, Ashley, Beck, Benbow, Cox, J. W. Davis, W. P. Davis, Goldsby, Hall, Henderson, Holley, Howard, Jones, Porter King, Lea, Moragne, McCaskill, McMullen, Oates, Pool, Shorter, Sterrett, Stone, Turner, Walker, Wallace, Webb, Whitsitt and Wilson.

NAYS—Messrs. Speaker, Allen, Allison, Austin, Banks Bass, Boon, Booth, Bradford, Brown, Bulger, Bussey, Byrd, Caffey, Campbell, Carlisle, Coleman, Critcher, Earnest, Glover, Hendree, Henshaw, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Liddell, Majors, Manasco, McAllister. McCollum, Moss, Nicks, Pettey, Presley, Price, Reaves, Rowe, Shelley, W. M. Smith, Stephens, Snowden, Tarrant. Walton, Warren, G. W. Williams, Williamson and Woolsey.

Mr. Brown moved to amend the first section by altering the arrangement of the counties so as to give Marion two representatives and Madison two. instead of Marion one and Madison three.

Pending which, the hour of one P. M. having arrived. the House adjourned.

AFTERNOON SESSION, January 17, 1852.

The House met pursuant to adjournment, and resumed the consideration of the bill to apportion representatives to the several counties of this State, and to lay off the State into senatorial districts.

The question recurred on the motion of Mr. Brown to alter the arrangement of the counties in the first section, so as to give Marion two representatives and Madison two, instead of Marion one and Madison three.

The question being divided, the vote was first taken on striking out Madison from the counties having three representatives.

Mr. Clements moved to postpone the consideration of the bill and amendments, and to be made the special order for Monday next, at the hour of 11 o'clock of said day.

The following message was received from His Excellency the Governor by Mr. Harrison:

MR. SPEAKER—His Excellency the Governor has approved bills which originated in the House of Representatives of the following titles, to wit:

An act to make the county treasurer of Madison elective by the people:

An act to amend the city charter of Montgomery:

An act making appropriation for the pay of certain claims against the State.

Report on Mr. Bulger's resolution, referred on 5th December, 1851.

Mr. Lea from the majority of the Committee of Ways and Means made the following report:

The Committee on Ways and Means, to whom was referred a resolution on the subject of so much of the Governor's message as relates to the great southern question, and directing them to inquire into the expediency of amending the revenue laws, &c., so as to tax goods from some states higher than others, have had the subject referred to them under consideration, and instruct me to report that it is inexpedient to legislate on the subject at this time.

Mr. Lea from the minority of said committee made the following report:

The Committee on Ways and Means, of whom the undersigned are a minority, have for a long time had under consideration the resolution of the House, offered by a gentleman from Tallapoosa, (Mr. Bulger,) by which was referred to them so much of the Governor's message as relates to the great southern question, which has for years agitated the American Confederacy and somewhat estranged its members from each other, which resolution also requires that committee to inquire into the expediency of amending the revenue laws, so as to subject the produce and manufactures of states which refuse to pass laws to enforce the provisions of the constitution in regard to fugitive slaves to a higher tax when sold in this state than on like articles produced or made elsewhere, with leave to report a bill, &c. It will at once be seen that the inquiry is one of no minor magnitude. It is based on the Governor's message, a page or more of which is devoted to the subject, and which it may be well to refer to; but more particularly on a portion which is in the following language: "The regulation of commerce between the states or the United States and a foreign country it must be conceded pertains to Congress, and that it is incompetent for a state legislature to directly subject to its revenue laws merchandize within its ports until it is commingled with the property of the state like other property; but when this transmutation of condition takes place, it then becomes subject to the local laws. It puts off the character of an import and the right to tax becomes clear."

The resolution as well as the message in no evasive terms requiring a decision expressive from the committee, a majority order a response, that it is inexpedient to legislate on the subject at this time; which the minority are forced to believe means, the measure proposed they believe is rightful in itself. The doctrine, of course, is before the world already in the most public form, not by the action of the committee, in the first instance; but they are publicly called on to say yea or nay. Whether, therefore, the object of the reference was to learn the practicability and effect of engrafting such a provision as that contemplated upon the revenue system employed in this state at present, or to obtain an expression of opinion as to the legal question involved, a direct response is required. In either event the undersigned will be as brief as a compliance with the call upon the committee will permit.

There is not a doubt that without any material derangement of the present classification of the subjects and sources of revenue, and without rendering the system more complex, the committee could by a few additional clauses bring the contemplated measure into vigerous operation. The products and merchandize of the states which stand before the world as delinquents, either by expressly violating, or which is the same thing, by refusing to pass laws necessary to carry out the plain provisions of the constitution, (which they are in honor, if not otherwise bound to do,) can be easily singled out and identified, and a discriminating tax imposed upon them. Nor is it easy to set a limit to the ways and means by which such a discrimination might be effected. Whether the revenue or annual income of the state would be increased or diminished by such a measure, we presume is not a question raised or intended to be brought up by the resolution. Let us then, if we can, for a few moments lay aside those feelings of indignation towards the conduct and position of certain states, which all feel in common with those who favor the idea of the message, and let us settle in our minds whether in any view which has been taken, or under what circumstances would the legislature act wisely and justly towards this state or other states in the passage of the measure recommended.

It is conceded, we learn by the message, that no right exists to levy a tax on the merchandise imported from other States until they are bought and become the property of citizens of our own State, then, it is said in the message, "they put off the character of an import, and the right to tax becomes clear." It requires no mental effort to see that the right to tax the property of the citizens of our own State is one thing, and the right to tax one higher than the other is a different thing. No less clear is it that it is one thing to lay taxes on goods brought from another State, and a very different thing to lay that tax for the purpose of reducing the privileges and rights of one State below that of another, and this latter, it is all the time to be borne in mind, is the avowed and express object.

It is obvious, from the express language of the message, that the enactment of a law is contemplated, if one pass at all, which shall not violate any provision of the constitution of the United States. How is this to be done? is the question. Why, the plan proposed is to levy a tax which will to some extent restrain, if not inhibit, the importation and sale in this State of merchandise brought from the offending State, so as to make the manufacturers or proprietors of that merchandise feel the inconvenience of the pressure at home. (It is immaterial, of course.

whether the persons immediately affected be friendly or unfriendly to our domestic wishes,) but at the same time the proposition is, do not levy such tax until the goods become the exclusive and rightful property of our own citizens; that is to say, levy the tax on the merchandise after it has passed out of the ordinary course of commerce.

Now surely it will not be contended that the same property, or the same kind of property, in the hands of one citizen, can be taxed higher than in the hands of another. If the Committee on Ways and Means had brought in a bill by which a higher tax is proposed on a given amount and description of goods owned by A., then on identically the same amount and description owned by B., his neighbor, no matter whether they had been imported in the first instance from Paris, Canton, or any of our own Northern States or cities, the House would pronounce it a violation of the plain principles of justice and equity, and certainly not consistent with the 1st section of our own Declaration of Rights.

It may be answered, however, that suppose a result so obviously unjust were likely to ensue, the process is very simple by which that is obviated. The publication of a law is all that is wanted: as soon as the law is known, all citizens would avoid an unequal tax by merely refusing to purchase those articles against which a discriminating tax is demanded. The proposition from the first proceeds upon the ground that merchandise is imported, and in the absence of a restraining regulation will continue to be, from some or all of the offending States, not articles, either, which are in themselves noxious or prejudicial in any way to the health, hopes, or happiness of our population, but merchandise in its largest sense, embracing the necessaries and comforts of life, as well as poisons; and that our citizens will to some extent find it their interest, all other things being equal, to buy and to sell them; but they will not do so, it is ascertained, if they thereby incur an invidious tax. Now, to preserve or restore equality in that respect, another alternative is presented. Artificial means may be resorted to, and an act passed, such as shall make it the interest of the citizens not to buy merchandise imported from any State that is obnoxious to our resentment. Yes, the tax paying merchant or farmer might, for patriotic considerations, abandon this item in the freedom of trading, and say to himself, I will buy nor sell any more goods from States which are step by step departing from the obligations of the Constitution, and the will of the citizen and the law might thus concur in the production of the desired result. The result of the process, then, is this: merchandise, under the proposed law, could be brought into Alabama and sold from some States. but not from others. That too, in consequence of, and knowingly and professedly produced by what is to be called a discriminating tax.

The proposition is not based on the principle or necessity of any internal police regulation, but for an act to be passed here, to operate and have some urgent effect out of our limits, and on interests and people in other States' jurisdictions. Involving, too, the assertion of right to do a thing indirectly, as we conceive, which it is acknowledged cannot be done directly, the effect would be identically the same as if an important duty had, under our appointment of a regular custom house officer, been exacted at our port of entry.

The object, then, being the same as is avowed, and the effect the same, which are the essence of all law, there is no difference in principle, by any possible construction of constitutional provisions, between the discriminating tax which is proposed and an import duty amounting, if you please, to prohibition, which in that case is (with or without legislation of Congress) intervening on the subject, contray to the 2d Clause, 10th Section and 1st Article of the Constitution of the United States, which declares, "no State shall, without the consent of Congress, lay any impost or duties on imports or exports, &c." True, that clause relates more particularly to merchandise of citizens of the United States, out of the condition in which the Constitution contemplates them, that is, in the hands of citizens of each or any of the States which are entitled to the privileges of citizens of the several States, and place that merchandise on the footing or condition, exactly, of goods from abroad.

If Alabama has the right by well defined enactments, either directly or indirectly, to inhibit or to give any essential direction to trade, coastwise or with other nations, the same right, in either case, on principles of justice or equality, must belong to each of the other States. In other words, the States, as well as Congress, (and it soon would be *instead* of Congress) have the right to regulate commerce (without a pretence of necessity, or any internal emergency, arising from the nature of the articles imported), which is simply unconstitutional and legally absurd. It would be nonsense to say we should pass a law to inhibit the importation of poisons for one State, and not for another; and unless the merchandise inhibited is in itself calculated to hurt the health or comfort of our citizens, so as to make internal police regulations necessary and proper, how else can we evade a violation of the general compact we have agreed to be bound by. We are precluded by concession on all sides in this investigation from justifying ourselves in violating the compact, on the grounds that other States have done the same thing, by having first fallen from their constitutional obligations. And the views here entertained and expressed by the undersigned have no reference to a state of things which might be supposed to existed if our State desired or ever could desire to be absolved from obligations imposed by the Constitution and assumed by her. It would then seem useless to pursue farther the examination of the question in any aspect of rightfully adopting a system or principle of bitter retaliation, or of one State doing as much injury to another as she has sustained, without a pretence of ultimate advantage to either, by way of addition to the present rights, instead of contemplating the upward course of policy of overcoming evil with good. Besides, this laying constitutional barriers out of the question, if possible, for a moment, were we to attempt crippling the trade of offending States, would the proposed measure result in adequate compensation? Would it not be expected that we, in the amplitude of our sovereignty, should resort to measures still more powerful and energetic? We might in such times be an overmatch for our adversaries in the vindictiveness of the measures we could adopt, but, situated as we are, it is not to be forgotten that Alabama has, since her admission into the Union, sustained a reputation high and well founded, for an honest, inflexible compliance with all national and constitutional obligations, and she will be apt to consider well the integrity of any principle of direct retaliation of State against State, before she will be the first to adopt it.

Not that she does not properly appreciate the wrongs done by other States, not that she does not feel her power to be equal to her rights, but because her citizens have also wisdom to bear in mind that a great people, spread over a large surface of the globe, might, if they expect perpetual peace and harmony, be less precipitate than one man or a small community would be against another. It is bravery in a people to acknowledge themselves powerless when called on to violate the plain provisions of the constitution of their country; they would rather try every other probable expedient, and wait with patience corresponding with the magnitude of the interests involved, to ascertain if honorable reparation may not yet be made. But as the Governor was pleased to say in his message, "in the meantime let it not be inferred that we think we should do nothing to countervail the antagonism of the abolition and free soil interest at the north. The minority of the committee have considered the subject before them thus far, on the supposition that no one complains of any evils except such as really exist. We also presume that it is the true policy, as well as the natural inclination, of each State and of all right minded patriotic citizens of each, that the Union shall exist as long as evils (whatever they may be) under it are tolerable, and as long as with all its evils it is obviously to any other proposed state or condition. It is right, of course, to charge to the Union only the evils which are inherent in or naturally arise from it, and in the same way as to the States and individual citizens. This portion of the committee will not now attempt an account in detail of the losses in value which the citizens of this State have sustained since her admission into the Union, on account of fugitive slaves. It is a very clear proposition, howevor, that all possible vagueness ought to be excluded from. and unquestionable memorials kept of the particulars, when charges of outrage and plundering are made by one people against another. The facts ought to be reduced to mathematical certainty, and even dollars and cents (amongst other things) considered whenever practicable. For a time seldom fails to come when justice, however slow, will be done. It is not important here to inquire whether the evils complained of arise from the general government, or the conduct of the States in which the deprivations were consummated. But hold to be true, that in every instance where a loss has occurred or may occur of the kind to a citizen of Alabama, without error or fault on his part, by the consent of any government, or of its citizens under its sanction or known permission, there is a remedy in some form which no delay can extinguish, and which the State is bound, sooner or later, to seek and enforce. If there be States then, which by legislative acts or by public authority vested in any form or department, however diminutive, sanctions, much more aids, by habeas corpus or other devices, the spoliation of property of another State, whether that property consist in slaves or other investments, or if any State accomplish the same thing by willful neglect to pass laws in conformity with the constitution, in good faith to prevent it, we hold that such State is bound to make good the loss.

It will not be contended that because of a Union we are placed in relation to other States more unfavorable than we would be in a separate state, nor than (as a part of the Union) we are in to foreign nations. There is no reason nor argument desirable for either the law of nations or the conduct of associated communities, why we should be. Indeed, it would seem we should be, according to the theory of our government, in far more favorable circumstances. True there are restraints against marque and reprisals, and the whole law of retaliation, since by our own voluntary choice and consent. the noble barriers of the constitution are interposed; but who for a moment believes that actual subsisting rights are thereby either weakened or extinguished." If a foreign nation, or her subjects with her assent, seize or confiscate the property of a citizen of this country, if a foreign vessel fire a gun across the bow of one of our merchantmen, satisfaction is demanded and promptly given. And is it possible that one of the States of this Union can commit or sanction the lawless deprivation of the property of a citizen of another State with fanatical greediness and impunity, and stand at large in the consciousness that neither the perpetrator nor their government are ever to make indemnity for the loss? There can be no evasion on the ground of the description of the property, "that it is property in that jurisdiction, but not in this." If by the principle of national law such a subterfuge could for one moment be tolerated as to foreign nations, how can it be sustained in these States, where by the constitution and laws slaves are recognized as property from the beginning? Were it possible, according to the structure of our government, for States or their citizens to be released from their constitutional obligations on the score of holy conceptions or illuminations of conscience, a facility is established of undoing at a dash all that human wisdom has accomplished, obedience to the powers that be would soon become a nugatory mandate, and the Bible, and the God that guided the battles of our revolution, be dethroned from the American heart.

Are the States, then, in behalf of themselves, are their citizens remitted from those modes of redress recognized among disconnected, independent nations, to such remedies as Congress is required to provide through the judicial or other departments of the general government, under the 17th clause of 8th section and 1st article?

Then if the States by whose authority or neglect losses occur to citizens of other States have not themselves sufficient regard for justice to make fair and ample indemnity wherever the claims are pressed, (and which we ought first to presume they will do,) most clearly if they do not, and in the absence of any operative and efficient law by Congress to enforce their payment or prevent their recurrence, Congress in that alternative will be bound by every fair consideration to insure and make good the losses, by such remedies as shall be just to all and rightful in themselves. The rights of our citizens are not to be cast off as rubbish, and as things which are impracticable, on the plea that the government, through its judicial department and remedial laws, has made every possible provision; and if just and legal demands fail under the form prescribed, all is lost! No citizen, whether born or sworn in, is linked by his allegiance to his State. After that, if after making every reasonable effort, his arm is too short, his wrongs still unredressed, that State which does not come to his rescue is recreant to her duty, and her citizens are not freemen.

The difficulty of enforcing a remedy, is no argument against the existence of the right, nor justice or propriety of a perpetual effort to assert and enforce both. Hence there is reason why we should (in the opinion of the undersigned) by public authority, carefully collect and preserve the evidence and arguments in behalf of these claims.

And in conformity with this view, we herewith submit a bill for the consideration of the House, and respectfully recommend its passage.

The undersigned also ask leave, if deemed necessary, to annex copies at length of the resolutions, and the entire portion of the governor's message, which is referred to.

HENRY C. LEA, *Chairman*
Committee Ways and Means.
W. W. CARLISLE,
D. HOPKINS,
SEABORN WILLIAMS.

The bill reported by said minority, to be entitled "an act to collect the facts, and provide and perpetuate proper evidence to sustain claims of the citizens of the State against other States, or their citizens for losses occasioned by the unlawful inciting, harboring or detension of fugitive slaves," was read the first time.

Mr. Shorter moved to lay the report of the majority of said committee on the table, and the motion prevailed.

Mr. F. S. Jackson moved to lay the report and bill of the minority on the table, and that fifteen hundred copies of the same be printed.

Mr. Hall moved to reconsider the vote by which the report of majority was laid on the table.

Mr. Moss demanded the yeas and nays thereon, and the motion prevailed. Yeas 42, nays 29.

Those who voted in the affirmative are, Messrs. Allen, Austin, Boon, Brown, Bulger, Bussey, Clements, Cox, Critcher, J. W. Davis, Nathaniel Davis, Goldsby, N. S. Graham, Hall, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Porter King, Manasco, Moragne, McAllister, McCaskill, McMullen, Oates, Phillips, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Turner, Warren, Whitsitt, G. W. Williams, Price Williams and Wilson.

Nays, Messrs. Allison, Armstrong, Ashley, Banks, Benbow, Booth, Byrd, Caffey, Carlisle, Earnest, Glover, Henderson, Henshaw, Holly, Liddell, McCollum, Moss, Nicks, Presley, Shelley, Sterritt, Wallace, Watkins, Webb, S. Williams, Williamson and Woolsey.

Mr. Shorter then, by leave, withdrew the motion to lay the report of the majority on the table.

Mr. Oates moved to postpone the further consideration of said reports until the 9th of February.

Pending which question, the hour of 5, P. M., having struck, the House adjourned.

MONDAY, January 19, 1852.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

On motion of

Mr. Beck, the clerk was instructed to return to the Senate the bill to authorize the governor to furnish arms to the Tuskegee Classical and Scientific Institute in Macon county, and explain the action of the House thereon.

On motion of

Mr. Beck, the vote ordering five hundred copies of the report of the committee on the report Mr. F. S. Lyon, commissioner and trustee for the State bank and branches, was reconsidered, and five thousand copies of said report ordered to be printed.

On motion of

Mr. Bennett the bill to establish a turnpike road in the county of St. Clair, was taken from the orders, and read the second time and referred to the Committee on Roads, Bridges and Ferries.

Mr. Moragne introduced a bill authorizing the school commissioners in the county of Cherokee, to retain the notes given for sixteenth sections, until due and collected, which was read and ordered to a second reading.

Mr. Webb presented the petition of citizens of Greene, in behalf of J. D. Holley, which was referred to the Committee on Propositions and Grievences.

Mr. Phillips introduced a bill to incorporate the Mobile Baymen's Society, which was read, and the constitutional rule being suspended, was read a second and third time forthwith and passed.

Mr. Moss presented the account of A. P. Pfister, and,

Mr. Banks presented the account of M. Donehoo, which were severally referred to the Committee on Accounts.

The question recurred on the motion of Mr. Oates, to postpone to the 9th of February, the reports of the majority and minority, of the Committee of Ways and Means, made on Saturday last.

Mr. N. Davis moved to suspend the consideration of said motion to take up the resolution from the Senate fixing a day for adjournment *sine die*, and demanded the yeas and nays thereon, and the motion prevailed. Yeas 40; nays 29.

YEAS—Messrs. Speaker, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Boon, Bradford, Bussey, Caffey, Campbell, Nathaniel Davis, Nicholas Davis, Hall, Holley, Hopkins, Howard, Jones, Porter King, Lea, Majors, Moragne, McAllister, Oates, Pettey, Price, Robinson, Shorter, W. M. Smith, Stephens, Snowden, Stone, Tarrant, Walker, Whitsitt, P. Williams, Williamson and Wilson.

NAYS—Messrs. Allen, Beck, Booth, Bulger, Byrd, Carlisle, Cox, Critcher, J. W. Davis, Glover, N. S. Graham, Henderson, Hendree, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Liddell, McCaskill, McCollum, McMullen, Nicks, Pool, Presley, Roper, Rowe, Shelley, Sterrett, Wallace and Webb.

Mr. Glover moved to postpone said resolution until the first of February.

Mr. Nathaniel Davis demanded the yeas and nays thereon.

Mr. Robinson moved to suspend the consideration of said motion to take up the bill to authorise the Mobile Rifle Company to exchange public arms, now in their possession, for certain others therein described. And the bill to amend an act to incorporate the Alabama and Mississippi River Rail Road Company.

Mr. Nathaniel Davis demanded the yeas and nays thereon and the motion prevailed. Yeas 47; nays 31.

YEAS—Messrs. Austin, Beck, Benbow, Bennett, Booth, Brown, Bulger, Bussey, Byrd, Carlisle, Clements, Cox, Critcher, Nicholas Davis, W. P. Davis, Earnest, Freeman, Glover, Goldsby, Henderson, Hendree, Henshaw, Holley, F. S. Jackson, Jones, Porter King, Lea, Liddell, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Pool, Presley, Reaves, Robinson, Roper, Shelley, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Turner and Walker.

NAYS—Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Bass, Boon, Bradford, Campbell, J. W. Davis, Nathaniel Davis, Gonder, N. S. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, Majors, Manasco, Moragne, Pettey, Price, Rowe, Shorter, Webb, Whitsitt, P. Williams, Williamson and Wilson.

Said bills were severally read the third time and passed.

Mr. Shelley moved to suspend the special order to enable him to make a report from the Committee on Divorce and Alimony.

Mr. Nathaniel Davis moved to amend said motion by suspending to continue the consideration of the resolution from the Senate, fixing a day to adjourn *sine die*, and demanded the yeas and nays thereon.

Mr. Shelley withdrew his motion, and Mr. Nathaniel Davis renewed his as an original motion, and also to take up the bill to authorise the Canton, Aberdeen and Tuscumbia Rail Road Company to extend their road into the State of Alabama, and to authorise the commissioners' court of Lauderdale to submit a proposition therein named to the people.

Mr. Bulger moved to amend said motion by also taking up the bill to relieve W. C. Dabene, et. al., from certain disabilities, and Mr. Nathaniel Davis then withdrew his motion.

Mr. Wilson moved to suspend to make reports from the Committee on Accounts.

Mr. Nathaniel Davis moved to amend by taking up the resolution from the Senate fixing a day for adjournment *sine die*.

Mr. Wilson withdrew his motion.

The House then resumed the consideration of the special order, it being the bill to apportion representatives among the several counties of this State and to lay off the same into senatorial districts.

The question recurred on Mr. Brown's motion to amend the first section.

Mr. Brown, by leave, withdrew said motion.

Mr. Clements moved to amend by way of substitute as follows:

SEC. 1. That the number of representatives for the State of Alabama at the present apportionment, shall be one hundred, distributed among the counties as follows: The county of Mobile, four; the counties of Benton, Barbour, Chambers, Tallapoosa, Pike, Cherokee, Jackson, Madison, Talladega, Franklin, three each; the counties of Marion, Tuscaloosa, Lauderdale, Coosa, Pickens, Randolph, Butler, Perry, Russell, Montgomery, Greene, Fayette, De Kalb, Limestone, Lawrence, Marshall, Shelby, Lowndes, Sumter, Marengo, Bibb, Blount, Dallas, Monroe and Henry, two each; to the counties of Jefferson, Wilcox, Morgan, Autauga, Dale, Baldwin, Choctaw, Clarke, Coffee, Conecuh, Covington, Hancock, Monroe, St. Clair, Walker and Washington, one each.

SEC. 2. That the counties of Mobile, Barbour, Chambers, Tallapoosa, Pike, Cherokee, Jackson, Madison, Franklin, Talladega, Macon, Tuscaloosa, Lauderdale, Coosa, Pickins, Randolph, Perry and Russell, shall each form one senatorial district; the counties of Coffee, Dale and Henry, one; Butler, Conecuh and Covington, one; Dallas and Wilcox, one; Baldwin, Clarke and Monroe, one; Choctaw, Sumter and Washington, one; Greene and Marengo, one; Lowndes and Montgomery, one; Jefferson and Shelby, one; Blount and St. Clair, one; DeKalb and Marshall, one; Limestone and Morgan, one; Hancock, Lawrence and Walker, one; Fayette and Marion, one; Autauga and Bibb, one.

Mr. Nathaniel Davis moved to lay the substitute on the table.

Mr. Wilson moved to postpone said substitute until 12 o'clock to-morrow, and to have 100 copies thereof printed, and withdrew said motion.

Mr. Brown demanded the yeas and nays on laying the substitute on the table, and the motion prevailed. Yeas 47; nays 30.

YEAS—Messrs. Speaker, Allen, Allison, Ashley, Austin, Benbow, Bennett, Boon, Bradford, Bulger, Byrd, Campbell, Carlisle, Cox, Nathaniel Davis, Nicholas Davis, W. P. Davis, Earnest, Freeman, Gonder, N. S. Graham, Hall, Hendree, Holley, Howard, F. S. Jackson, J. W. W. Jackson, McAllister, McCaskill, Nicks, Oates, Pool, Presley, Roper, Rowe, Shorter, W. M. Smith, Stephens, Snowden, Tarrant, Walton, Whitsitt, P. Williams and Williamson.

NAYS—Messrs. Banks, Brown, Bussey, Caffey, Clements, Cooper, Critcher, J. W. Davis, Gladney, Glover, Goldsby, Henderson, Hopkins, Jones, Kavanaugh, Lea, Liddell, Majors, McCollum, McMullen, Pettey, Reaves, Robinson, Shelley, Stone, Wallace, Watkins, Webb, G. W. Williams and Wilson.

Mr. Earnest moved the previous question.

Mr. Gonder moved to lay the bill on the table, and

Mr. Speaker ruled said motion out of order.

Mr. Ashley moved to postpone the further consideration of said bill till the 7th of February.

Mr. Snowden demanded the yeas and nays thereon, and the motion prevailed. Yeas 28; nays 54.

Yeas—Messrs. Allison, Ashley, Benbow, Critcher, J. W. Davis, Freeman, Gonder, Hall, Henderson, Hendree, Holley, Howard. F. S Jackson, Lea, Liddell, McAllister, McCollum, McMullen, Nicks, Presley, Sterrett, Snowden, Stone, Wallace, Webb, G. W. Williams and Williamson.

Nays—Messrs. Speaker, Allen, Armstrong, Austin, Banks, Bass, Bennett, Boon, Bradford, Brown, Bulger, Bussey, Byrd, Caffey, Campbell, Carlisle, Clements, Cooper, Cox, Nathaniel Davis, Nicholas Davis, W. P. Davis, Earnest, Gladney, Glover, Goldsby, N. S Graham, Henshaw, Hopkins, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Manasco, Moragne, McCaskill, Moss, Phillips, Pool, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Tarrant, Turner, Walker, Watkins, Whitsitt, P. Williams, Wilson and Woolsey.

Mr. Earnest withdrew his call for the previous question.

Mr. Holly moved to amend the bill as follows:

That the State shall be divided into thirty-three senatorial districts, of which the counties of Mobile, Benton, Barbour, Chambers, Cherokee, Jackson, Madison, Lauderdale, Franklin, Tallapoosa, Randolph, Russell, Macon, Coosa, Pike, Pickens and Tuskaloosa shall each form one district.

The counties of Sumter, Choctaw and Washington one district; Clarke, Baldwin and Monroe one: Conecuh, Covington and Coffee one; Dallas and Wilcox one; Greene and Marengo one; Butler and Lowndes one; Montgomery and Autauga one; Perry and Bibb one; Fayette and Marion one; Lawrence, Hancock and Walker one; Limestone and Morgan one; Marshall and De Kalb one; Blount and St. Clair one; Shelby and Jefferson one; Henry and Dale one.

Mr. Hall moved to lay said amendment on the table.

Mr. Holley demanded the yeas and nays thereon, and the motion prevailed. Yeas 48: nays 21.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Austin, Banks, Bennett, Beck, Booth, Bradford, Brown, Bulger, Byrd, Caffey, Campbell, Carlisle, Clements, Cox, Nath. Davis, W. P. Davis, Glover, N. S. Graham, Hall, Hendree, Henderson, Hopkins, Howard, Jones, Porter King, Lea, Majors, Manasco, Moragne, Oates, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Wallace, Whitsitt, P. Williams and Wilson.

Nays—Messrs. Ashley, Bass, Benbow, Cooper, Critcher, J. W.

Davis. Freeman, Gonder, Henderson. Holley, F. S. Jackson, Kavanaugh, Liddell, McCollum, McMullen, Nicks. Snowden, Walker, Walton. Webb. G. W. Williams and Williamson.

Mr. Oates moved to amend the bill as follows:

By striking Lauderdale out of the sixth line of the printed bill and inserting after Tallapoosa in the fourth line, and striking Jefferson out of the fifth line and inserting it in the ninth line, after Wilcox.

Mr. Holley moved to lay said amendment on the table and withdrew his motion.

Mr Hall moved a division of the question, and the vote was first taken on so much of the amendment as refers to Lauderdale.

Mr. Rowe moved to lay the amendment on the table and withdrew his motion, and the question recurred first on the adoption of so much of the amendment of Mr. Oates as refers to Lauderdale.

Mr. Oates demanded the yeas and nays thereon, and the amendment was lost. Yeas 26; nays 47.

YEAS—Messrs. Armstrong, Ashley, Bass, Beck. Bradford, Bussey, Caffey. Cooper, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis. Holley, F. S Jackson. Kavanaugh, Liddell, McCollum, Moss. Oates, Shorter. W M. Smith. Snowden, Walker. Wallace. Watkins and G. W. Williams.

NAYS—Messrs Allen, Allison Banks. Benbow, Bennett, Booth, Brown. Bulger. Byrd. Carlisle. Clements Cox, Earnest, Gladney, Glover, Goldsby, Gonder, N S. Graham, Hall, Henshaw. Hopkins. Howard, J. W. W. Jackson. Jones, Lea, Manasco Moragne, McAllister. McCaskill. McMullen, Pettey. Pool, Price. Reaves, Robinson. Roper, Rowe. Stephens. Sterrett. Tarrant, Turner, Walton Webb, Whitsitt. P Williams. Williamson and Wilson.

Mr. Wilson moved to recommit the bill and amendments, which motion was lost.

Mr. Cooper moved to suspend the further consideration of said bill, to enable him to offer the following resolution:

Resolved, That with the concurrence of the Senate, a joint select committee of one from each judicial circuit be raised, to whom. when raised, all bills and amendments before the House in relation to State apportionment. be referred.

Mr. Hall demanded the yeas and nays thereon. and the motion was lost. Yeas 22; nays 55.

YEAS—Messrs. Allison, Ashley, Beck. Benbow. Booth, Caffey, Carlisle, Cooper. Critcher. J. W. Davis, Freeman. Henderson, Hendree. Henshaw. Holley. F. S. Jackson. McCollum, Moss, Pettey, Presley. Wallace and Williamson.

NAYS—Messrs. Speaker. Allen, Armstrong, Austin, Banks, Bennett, Boon. Bradford. Brown. Bulger. Byrd. Clements, Cox,

W. P. Davis, Glover. N. S Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Jones, Kavanaugh, P. King, Lea, Liddell, Manasco. Moragne, McAllister, McCaskill, McMullen, Nicks, Oates, Pool, Price, Reaves, Roper, Rowe, Shelley, Shorter, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Tarrant, Turner, Walker, Walton, Watkins, Webb Whitsitt G. W. Williams, P. Williams, Wilson and Woolsey.

Mr. Clements moved to refer the bill and amendments to a select committee of one from each judicial circuit, with instructions to report at 11 o'clock on to morrow.

Mr. G. W. Williams moved the previous question, and demanded the yeas and nays thereon, and the motion prevailed. Yeas 44 ; nays 34.

Yeas—Messrs Speaker, Allen, Allison, Armstrong, Ashley, Austin, Bass, Bennett, Booth, Bradford, Bulger, Caffey, Campbell, Critcher, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Gonder, Henshaw, Hopkins, F. S. Jackson, Jones, Kavanaugh, Majors, Manasco, Moragne, Nicks, Oates, Pettey, Pool, Price, Reaves, Robinson, Shorter, W. M. Smith, Stephens, Tarrant, Walker, Walton, Watkins, Whitsitt, G. W. Williams and P. Williams.

Nays—Messrs. Banks, Beck, Benbow, Boon, Brown, Carlisle, Clements, Cox, J. W. Davis, Freeman, Glover, Goldsby, N. S. Graham, Hall, Henderson, Holley, Howard, Porter King, Lea, Liddell, McCaskill, McCollum, McMullen, Moss, Roper, Shelley, Sterritt, Snowdon, Stone, Turner, Wallace, Webb, Williamson and Wilson.

Mr. Price Williams moved to suspend the rule requiring the House to meet at 3 P. M.

Mr. Presley demanded the yeas and nays, and the motion prevailed. Yeas 47, nays 35.

Yeas—Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Bass, Beck, Bennett, Boon, Booth, Bradford, Brown, Bussy, Clements, Cooper, Cox, Critcher, Nathaniel Davis, Nicholas Davis, W. P. Davis, Earnest, Freeman, Goldsby, N. S. Graham, Hendree, Henshaw, Jones, P. King, Majors, Moragne, McAllister, McCaskill, McCollum, Moss, Oates, Pool, Robinson, Roper, Stephens, Snowdon, Stone, Tarrant, Turner, Whitsitt, G. W. Williams, P. Williams and Wilson.

Nays—Messrs. Allen, Banks, Benbow, Bulger, Byrd, Caffey, Campbell, Carlisle, J. W. Davis, Glover, Hall, Holly, Hopkins, Howard, Kavanaugh, Lea, Liddell, Manasco, McMullen, Nicks, Presley, Petty, Price, Reaves, Rowe, Shelley, Shorter, W. M. Smith, Sterritt, Walton, Wallace, Webb, Williamson and Woolsey.

Mr. Oates offered the following resolution, which was adopted:

Resolved, That the use of the Hall of Representatives be tendered to the Democratic Re-orginazation Convention, this afternoon at 3 o'clock.

And the hour of 1, P. M., having arrived. the House adjourned.

TUESDAY, January 20, 1852.

The House met pursuant to adjournment.

Mr. Hall presented the account of Joel Heath, which was referred to the Committee on Accounts.

Mr. Armstrong offered the following resolution:

Resolved, That the use of this hall be tendered to the Union Convention, at 3, P. M., of this day, at seven on this evening, and on each evening at seven, until said Convention shall adjourn.

Mr. Williamson moved to lay said resolution on the table, and withdrew said motion.

Mr. Presley moved to strike out 3, P. M., which was adopted, and the resolution was adopted.

Mr. Critcher gave notice that he would move to reconsider the vote by which the previous question was sustained, on yesterday, on the apportionment bill.

Mr. Shelley, from the committee on Divorce and Alimony, reported a bill to divorce Cesarine V. Sestrade from her husband. Jacques Sestrade, Sarah M. Haggard from Robert F. Haggard, Elizabeth T. Gray from Augustus P. Gray, and others, which was read, and the constitutional rule being suspended, was read the second time forthwith and ordered to be engrossed for a third reading.

Mr. Beck, from the committee on Public Printing, reported back the joint resolution from the Senate for the relief of Brittain & DeWolf, State printers, without amendment, and the constitutional rule being suspended, said resolution was read the third time forthwith and passed.

Mr. Boon moved to suspend the call of the counties, to enable him to offer the following resolution:

Resolved, That the House of Representatives shall, after the 25th of this instant, meet at half past seven o'clock, P. M., and adjourn at nine o'clock, which night sessions shall be devoted to business of a local characted.

And demanded the yeas and nays on the suspension, and the motion prevailed. Yeas 44, nays 23.

Those who voted in the affirmative are, Messrs Speaker, Allen, Allison, Armstrong, Banks, Beck, Benbow, Boon, Bradford, Brown, Bulger, Campbell, Carlisle, Coleman, J. W. Davis, Nathaniel Davis, Earnest, Freeman, Hall, Hendree, Henshaw, Holly, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, Lea, Moragne, McAllister, McCaskill, Petty, Presley, Price, Robinson, Rowe, Shorter, Sterritt, Tarrant, Walker, Whitsett, P. Williams, Williamson, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Ashley, Austin, Bass, Byrd, Cox, Glover, Henderson, Jones, Liddell, Manasco, McCollum, McMullen, Moss, Nicks, Oates, Pool, Rowe, Shelley, John Smith, W. M. Smith, Walton, Watkins and Webb.

The rule lies over one day.

Mr. Henderson introduced a bill to provide for the compensation of constables and jurors in justices' courts, in Butler county, which was read, and the constitutional rule being suspended, was read the second time forthwith, and ordered to be engrossed for a third reading.

Mr. Allen presented the petition of G. B. Douthett and others, which was referred to the committee on Privileges and Elections.

Mr. Price presented the petition of Rial Logan, which was referred to the committee on Privileges and Elections.

The question recurred on the motion of Mr. Oates, to postpone to the 9th of February, the reports of the majority and minority of the committee of Ways and Means, made on Saturday last.

Mr. Lea moved the previous question.

Mr. Oates withdrew his motion, and the question recurred on concurring in the report of the majority.

Leave of absence was granted to Mr. Goldsby.

The Senate then by invitation appeared within the hall of the House, and the two Houses in convention proceeded to the election of quarter master general of this State. The names of A. P. Pfister, James D. Spiller, Thomas Cummings, Sr., Ed. Watkins, J. W. Warren, and C. R. Hansford, being in nomination.

Those who voted for Mr. Pfister are, Messrs. President, Bibb, Crenshaw, Coke, Flewellen, Gunn, Johnson, Leslie, Malone, Perrin, Pearson, Patton, Stephens, Saunders, Watrous, of the Senate. 15. Messrs. Allison, Bass, Beck, Bulger, Byrd, Caffey, Carlisle. Cooper, Nathl. Davis, Nich. Davis, Freeman, Glover, Goldsby, Gonder, Hall, Henderson, Hendree, Henshaw, Holley, Hopkins, Havard. F. S. Jackson, Kavanaugh, Lea, Liddell, Moragne, Moss, Nicks, Oates, Presley, Roper, Robinson, Shorter, John Smith, Sterritt, Walton, Whitsitt, P. Williams, and Williamson. 39: 15—54.

Those who voted for Mr. Hansford are, Messrs. Baker, Flemming, Garrett, Heflin, Kelly, Matthews, O'Neal, Ricks, Walker, of the Senate, 9. Messrs. Ashley, Austin, Benbow, Boon, Booth, Bradford, Cox, Critcher, J. W. Davis, W. P. Davis, Gladney, N. S. Graham, Porter King, McAllister, McCaskill, McMullen, Pettey, Pool, Rowe, Shelley, Stephens and Woolsey, of the House, 22: 9—31.

Those who voted for Mr. Cummings are, Messrs. Banks, Wallace, and Webb, of the House, 3.

Those who voted for Mr. Warren are, Messrs. Aldridge, Frazier, Toulman, and Winston, of the Senate, 4. Messrs. Allen, Armstrong, Brown, Clements, J. W. W. Jackson, Jones, Majors, Manasco, Price, Reaves, W. M. Smith, Stone, Tarrant, Turner, and Wilson, of the House, 15: 4—19.

Those who voted for Mr, Watkins are, Messrs. Jones, of the Senate, 1, and Watkins, of the House, 2.

Those who voted for Mr. Spiller are, Mr. Jemison, of the Senate, and Messrs. Speaker, Campbell, Earnest, and McCollum, of the House, 4: 1—5.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to ballot a second time.

Those who voted for Mr. Pfister are, Messrs. Cocke, Flewellen, Gunn, Heflin, Johnson, Malone, Perrin, Pearson, Patton, Stephenson, Saunders, Walker, Watrous, of the Senate, 16.

Messrs. Allison, Bass, Beck, Bulger, Byrd, Caffey, Carlisle, Cooper, Critcher, Nathaniel, Davis, Freeman, Glover, Goldsby, Gonder, Hall, Henderson, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Kavanaugh, Lea, Liddell, Moragne, Moss, Nicks, Oates, Presley, Pettey, Reaves, Robinson, Roper, Shorter, John Smith, Sterritt, Walker, Walton, Watkins, Whitsitt, P. Williams, and Williamson, of the House, 44: 16—60.

Those who voted for Mr. Hansford are, Messrs. Baker, Flemming, Garrett, Kelly, Leslie, Matthews, O'Neal, Ricks and Winston, of the Senate, 9.

Messrs. Ashley, Austin, Benbow, Bennett, Boon, Booth, Bradford, Campbell, Cox, J. W. Davis, Gladney, N. S. Graham, P. King, McAllister, McCaskill, McMullin, Rowe, Shelley, Stephens, Stone, Turner, and Woolsey, of the House. 22: 9—31.

Those who voted for Mr. Cummings are, Messrs. Wallace and Webb, of the House, 2.

Those who voted for Mr. Warren are, Messrs. Aldridge, Frazier, Jones and Toulman, of the Senate, 4. Messrs. Allen, Armstrong, Brown, Clements, J. W. W. Jackson, Jones, Majors, Manasco, Pool, Price, W. M. Smith, Tarrant, and Wilson, of the House, 13: 4—17.

Those who voted for Mr. Spiller are, Messrs. Jemison of the Senate, 1; Mr. Speaker, Banks, Tarrant, and McCollum, of the House, 4: 1—5.

Mr. W. P. Davis voted for Mr. Savery.

Mr. Pfister having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected quarter master general of the State for the time prescribed by law.

The Senate then withdrew, and the House resumed the consideration of the report under discussion, until the hour of 1 P. M. having arrived, the House adjourned.

WEDNESDAY, January 21, 1852.

The House met pursuant to adjournment.

Mr. Boon moved to suspend the call of the counties, to take up the resolution offered by him on yesterday, and the motion was lost.

Mr. Henshaw presented the petition of James Savage and others, which was referred to the Committee on Propositions and Grievances.

Mr. Holley introduced a bill for the relief of James Clanton, which was read, and the constitutional rule being suspended, was read the second time, forthwith.

Mr. Wilson moved to refer said bill to the Committee on Ways and Means, and withdrew said motion, and the rule being further suspended, the bill was read a third time, forthwith, and passed.

Mr. N. S. Graham introduced a bill to incorporate the Wetumpka Mutual Insurance Company, which was read, and the constitutional rule being suspended, was read the second time, forthwith, and referred to the Committee on Corporations.

Mr. Shorter introduced a bill in relation to the town of Clayton, in Barbour county, which was read, and the constitutional rule being suspended, was read the second time, forthwith, and referred to the Committee on Propositions and Grievances.

Mr. Shorter presented the petition of Jesse Locke, which was referred to the Committee on Ways and Means.

Mr. Wilson, from the Committee on Accounts, reported back the bill for the relief of the securities of John Blizzard, and the petition of John M. Foster, as improperly referred.

Said bill and petition were then referred to the Committee of Ways and Means.

Mr. Wilson, from the same committee, reported a bill making appropriations for the payment of certain claims against the State, which was read, and the constitutional rule being suspended, was read the second time, forthwith.

Mr. Wilson moved to strike out seventy-five in the allowance to James Hogan and insert "one hundred," which motion prevailed; and the rule being further suspended, said bill was read a third time forthwith and passed.

Mr. Hall presented the account of Charles Price and James H. Cooper, which was referred to the Committee on Accounts.

The House resumed the consideration of the reports of the majority and minority of the committee of ways and means made on Saturdy last, and continued therein until the hour of eleven having arrived, the House resumed the consideration of the special order for said hour, it being the bill to promote the prosperity of the people of Alabama by developing its agricultural, mineral, manufacturing and commercial resources.

The question recurred on concurring in the amendment of the whole, by which the second section was stricken out and the same was concurred in.

The third amendment was also concurred in.

The following message was received from the Senate by Mr. Kidd:

Mr. Speaker: The Senate has amended the resolution of the House to adjourn *sine die* on the 9th of February by substituting the 7th in lieu of the 9th, in which amendment the concurrence of the House is respectfully asked.

Mr. Nathaniel Davis moved the indefinine postponement of the bill under consideration.

Mr. Oates demanded the yeas and nays thereon, and the motion prevailed. Yeas 44; nays 41.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Ashley, Austin, Banks, Bass, Benbow, Boon, Brown, Bulger, Caffey, Clements, Coleman, Cox, Nathaniel Davis, Freeman, Gonder, Hall, Howard, F. S. Jackson, J. W. W. Jackson, Jones, P. King, Lea, Majors, Manasco, Moss, Oates, Pool, Presley, Reaves, John Smith, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Tarrant, Walton, Warren, G. W. Williams, S. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Adams, Allen, Armstrong, Beck, Benham, Booth, Bradford, Byrd, Campbell, Carlisle, Cooper, Critcher, J. W. Davis, Nicholas Davis, W. P. Davis, Earnest, Glover, N. S. Graham, Henderson, Hendree, Hopkins, Kavanaugh, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Pettey, Phillips, Price, Robinson, Roper, Shorter, Turner, Walker, Wallace, Watkins, Whitsitt, P. Williams and Woolsey.

The House then proceeded to the consideration of the next special order, it being the bill to apportion representatives and senators among the several counties of the State.

Mr. Critcher moved to reconsider the vote by which the previous question was sustained on said bill; the motion prevailed, and Mr. G. W. Williams withdrew the motion for the previous question.

The motion recurred on the motion of Mr. Oates to strike out Jefferson from the counties entitled to two representatives, and insert it among those entitled to one.

Mr. Earnest demanded the yeas and nays thereon, and the motion prevailed. Yeas 56; nays 16.

Those who voted in the affirmative are, Messrs. Adams, Allison, Austin, Beck, Benbow, Benham, Boon, Booth, Brown, Byrd, Caffey, Carlisle, Clements, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Freeman, Glover, Gonder, N. S. Graham, Hall, Henderson, Hendree, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, P. King, Lea, Manasco, McCackill, McCollum, McMullen, Nicks, Oates, Pettey, Pool, Presley, Roper, Shorter, Stephens, Sterrett, Snowden, Turner, Walton, G. W. Williams, P. Williams, S. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Bradford, Campbell, Kavanaugh, Moragne, Moss, Price, W. M. Smith, Tarrant, Wallace, Watkins and Whitsitt.

Mr. Shorter moved to reconsider the vote just taken, and the motion was lost.

On motion of Mr. J. W. Davis, the bill was amended by inserting Bibb among the counties entitled to two representatives.

Mr. Cox moved to amend by way of substitute as follows:

That the representatives in the several counties shall be apportioned at the rate of forty-one hundred and forty-eight white inhabitants to a representative, and shall be apportioned among the several counties in the following manner, to wit:

The county of Mobile, four representatives.

The counties of Barbour, Benton, Chambers, Cherokee, Coosa, Franklin, Jackson, Macon, Pike, Talladega, Tallapoosa and Tuscaloosa, each three representatives.

To the counties of Bibb, Butler, Dallas, DeKalb, Fayette, Greene, Henry, Lauderdale, Limestone, Lowndes, Madison, Marengo, Marshall, Montgomery, Perry, Pickens, Randolph, Russell, Shelby and Sumter, each two representatives.

To the counties of Autauga, Baldwin, Blount, Choctaw, Clarke, Coffee, Conecuh, Covington, Dale, Hancock, Jefferson, Marion, Monroe, Morgan, St. Clair, Walker, Washington and Wilcox, each one representative.

SEC. 2. That the counties of Barbour, Benton, Chambers, Cherokee, Coosa, Franklin, Jackson, Lauderdale, Macon, Madison, Mobile, Perry, Pickens, Pike, Randolph, Russell, Talladega, Tallapoosa and Tuscaloosa, shall each form one senatorial district.

The counties of Coffee, Dale and Henry one,
The counties of Butler, Conecuh and Covington one,
The counties of Dallas and Wilcox one,
The counties of Baldwin, Clarke and Monroe one,
The counties of Choctaw, Sumter and Washington one,
The counties of Greene and Marengo one,
The counties of Lowndes and Montgomery one,
The counties of Jefferson and Shelby one,
The counties of De Kalb and Marshall one,
The counties of Limestone and Morgan one,
The counties of Hancock, Lawrence and Walker one,
The counties of Fayette and Marion one,
The counties of Autauga and Bibb one.

Mr. Nich. Davis moved the previous question, and the call was sustained.

Mr. Hall moved to reconsider the vote just taken.

Mr. Adams demanded the yeas and nays, and the motion was lost. Yeas 34; nays 42.

Those who voted in the affirmative are, Messrs. Adams, Allison, Austin, Banks, Benbow, Brown, Caffey, Carlisle, Clements, Coleman, Cooper, Cox, Critcher, Glover, Gonder, N. S. Graham, Henderson, Hendree, Howard, F. S. Jackson, Lea, Majors, Moss, Presley, Shelley, John Smith, Stephens, Snowden, Tarrant, Turner, Wallace, Warren, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Bass, Beck, Boon, Booth, Bradford, Bulger, Campbell, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Hall, Hopkins, J. W. W. Jackson, Jones, Kavanaugh, P. King, Manasco, Moragne, McAllister, McCaskill, McMullen, Nicks, Oates, Petty, Pool, Price, Reaves, Roper, Shorter, W. M. Smith, Sterrett, Walton, Watkins, Whitsitt, G. W. Williams and Wilson.

The hour of one p. m. having arrived the House adjourned.

Afternoon Session, January 21, 1852.

The House met pursuant to adjournment.

Mr. Adams presented the account of J. H. McCarrell.

Mr. N. S. Graham the account of Joseph Tuck; and

Mr. Speaker laid before the House a communication from the Governor inclosing the account of Carmical and McDuffee.

Said accounts were severally referred to the Committee on Accounts.

The House then resumed the consideration of the apportionment bill.

The question recurred on ordering said bill to a third reading.

Mr. Hall demanded the yeas and nays thereon, and the House refused so to order the bill. Yeas 18; nays 51.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Austin, Bennett, Bradford, Bulger, Campbell, Nath. Davis, Earnest, Kavanaugh, Moragne, Manasco, Pool, Price, John Smith, W. M. Smith, Stephens and Woolsey.

Those who voted in the negative are, Messrs. Allen, Armstrong, Ashley, Banks, Bass, Beck, Benbow, Benham, Boon, Booth, Brown, Caffey, Carlisle, Clements, Cox, Critcher, J. W. Davis, Freeman, Glover, Gonder, Hall, Hendree, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, P. King, Lea, McAllister, McCaskill, McCollum, McMullen, Moss, Nicks, Phillips, Presley, Roper, Shorter, Sterrett, Snowdon, Tarrant, Turner, Wallace, Walton, Warren, Watkins, Whitsitt, P. Williams, S. Williams and Wilson

Mr. Campbell moved to suspend the special order to take up the Senate bill on State apportionment.

Mr. Manasco demanded the yeas and nays thereon, and the motion was lost. Yeas 38, nays 40.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Ashley, Banks, Bass, Benbow, Benham, Booth, Byrd, Caffey, Campbell, Carlisle, Critcher, J. W. Davis, Freeman, Gonder, Hendree, Henshaw, Holley, F. S Jackson, Lea, Moragne, McCollum, McMullen, Moss, Nicks, Prestley, Reaves, Rowe, Shelley, John Smith, Snowden, Wallace, Walton, Watkins, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Allen, Armstrong, Austin, Beck, Bennett, Boon, Bradford, Brown, Bulger, Clements, Coleman, Cox, Nathaniel Davis, W. P. Davis, Earnest, Glover, N. S. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, Porter King, Manasco, McAllister, McCaskill, Phillips, Pool, Price, Roper, Shorter, W. M. Smith, Stephens, Tarrant, Turner, Warren, Whitsitt, P. Williams and Wilson.

The House then proceeded to the consideration of the next special order, it being the bill to remove the obstructions in the Tombigbee river.

Mr. Porter King moved to amend as follows:

"And that the sum of twenty thousand dollars is hereby appropriated out of the three per cent. fund, to be paid out of any unappropriated monies in the treasury, to be placed under the control of seven commissioners, to be appointed by the Governor, for the purpose of removing obstructions in the navigation of the Cahaba river, between the mouth of said river and the town of Centerville; and that the amount aforesaid shall be drawn for in such sums as the majority of said commissioners shall order and direct; and further, that the sum of ten thousand dollars is hereby appropriated out of the same fund to removing obstacles in the Tennessee river, between Brown's ferry and the Tennessee line, east from said ferry, to be disbursed under the direction of C. J. Lowe, C. C. Spiller and Lewis Wyeth," pending which the hour of 5 p. m. having arrived, the House adjourned

THURSDAY, January 22, 1852.

The House met pursuant to adjournment.

Mr. Campbell moved to suspend the call of the counties, to take up the resolution from the Senate to adjourn *sine die.*

Mr. Nathaniel Davis moved the previous question, and the call was not sustained.

Mr. Nathaniel Davis demanded the yeas and nays on suspending the call of the counties, and the motion was lost, yeas 30, nays 41.

YEAS—Messrs. Speaker, Allen, Armstrong, Banks, Bass, Benbow, Bennett, Boon, Caffey, Clements, J. W. Davis, Nathaniel Davis, Gonder, Holley, Hopkins, J. W. W. Jackson, Lea, Majors, McAllister, Petty, Price, Shorter, W. M. Smith, Wallace, Walton, Watkins, Williamson, Wilson and Woolsey.

Nays—Messrs. Adams, Allison, Austin, Brown, Byrd, Carlisle, Cooper, Cox, Critcher, Freeman, Glover, N. S. Graham, Hendree, Henderson, F. S. Jackson, Jones, Kavanaugh, Porter King, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Phillips, Pool, Prestley, Reaves, Rowe, John Smith, Stephens, Sterrett, Stone, Turner, Webb, Whitsitt, G. W. Williams, P. Williams and S. Williams.

Mr. Shorter introduced a bill to apportion representatives among the different counties of this state, and to divide the state into senatorial districts, which was read.

Mr. Holley moved to lay the bill on the table.

Mr. F. S. Jackson demanded the yeas and nays thereon, and the motion was lost, yeas 31, nays 42.

Yeas—Messrs. Allison, Bass, Benbow, Brown, Byrd, Caffey, Campbell, Carlisle, Cooper, Freeman, Glover, Gonder, Henderson, Hendree, Holley, Hopkins, F. S. Jackson, Kavanaugh, McCollum, McMullen, Moss, Nicks, Oates, Petty, Prestley, Rowe, John Smith, Walton, Webb and Williamson.

Nays—Messrs. Speaker, Adams, Allen, Armstrong, Austin, Banks, Beck, Bennett, Bulger, Clements, Cox, Critcher, J. W. Davis, Nath. Davis, N. S. Graham, Hall, Howard, J. W. W. Jackson, Jones, Porter King, Lea, Majors, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Roper, Shorter, W. M. Smith, Stephens, Sterrett, Stone, Turner, Warren, Watkins, Whitsitt, G. W. Williams, P. Williams and Wilson.

Mr. Shorter moved to suspend the constitutional rule, in order to give said bill a second reading forthwith.

The motion was lost, and the bill was ordered to a second reading on to morrow.

Bills were introduced by :

Mr. Carlisle, to provide for the payment of certain claims, &c.:

Mr. S. Williams, to make an appropriation out of the three per cent. fund to the construction of the Macon county plank-road :

Which were severally read, and ordered to a second reading.

Mr. Cox introduced a bill to apportion representatives among the several counties of the State, and to divide the State into senatorial districts, which, on motion of Mr. Shorter, was laid on the table.

Mr. Woolsey introduced a bill to amend the charter of the Alabama and Tennessee River Railroad Company, and also a bill to confirm and amend the charter of the Bibb County Steam Mill Company.

Which were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Corporations.

Mr. Warren introduced a bill providing for the removal of the county site of the county of De Kalb, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Majors moved to lay the bill on the table, and the motion was lost.

Mr. Majors moved to postpone the consideration thereof until the 9th of February, and his motion was lost.

Mr. P. Williams moved to refer said bill to a select committee, composed of the representatives from De Kalb, Marshall and Cherokee.

Mr. Reaves moved to refer the bill to the Committee on County Boundaries, and the motion was lost.

Mr. Critcher moved to refer said bill to the Committee on Propositions and Grievances, and the motion prevailed.

The hour of 11 having arrived, the House proceeded to the consideration of the special order for said hour, it being the bill to remove the obstructions in the Tombigbee river.

Mr. Porter King withdrew his amendment offerred on yesterday.

On motion of Mr. Phillips the special order was suspended to continue the call of the counties.

Mr. McCollum presented the petition of B. W. Wilson and others, which was referred to the Committee on Propositions and Grievances.

Mr. Coleman introduced a bill to enlarge the corporation of Fayetteville, which was read, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

Mr. Armstrong presented the petition of Isaac N. Owen and others, which was referred to the Committee on Ways and Means.

Mr. Byrd presented the petition of S. H. Thompson and others, which was referred to the Committee on Roads, Bridges and Ferries.

Mr. Critcher introduced a bill for the relief of certain persons therein named, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on the Judiciary.

Mr. Phillips introduced a bill to develop the mineral wealth of the State, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Hall moved to amend by adding "agricultural" after "geological," which was adopted.

Mr. Moss moved to amend by striking out "three per cent. fund"

Mr. Lea moved to lay the bill and amendments on the table.

Mr. Bradford called for a division of the question.

Mr. Nath. Davis demanded the yeas and nays on laying the amendment on the table, and the motion prevailed. Yeas 59; nays 24.*

YEAS—Messrs. Allen, Allison, Armstrong, Austin, Beck, Benbow, Boon, Booth, Brown, Clements, Coleman, Cooper, J. W. Davis, Nich. Davis, Freeman, Gonder, N. S. Graham, Hall, Henderson, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Porter King, Lea, Liddell, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Phillips, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shelley, John Smith, W. M. Smith, Stephens, Sterrett, Stone, Turner, Walker, Wallace, Warren, Watkins, Whitsitt, G. W. Williams, P. Williams, Williamson, Wilson and Woolsey.

NAYS—Messrs. Speaker, Banks, Bass, Bradford, Bulger, Byrd, Caffey, Carlisle, Cox, Critcher, Nath. Davis, W. P. Davis, Earnest, Glover, Hendree, Kavanaugh, Moss, Nicks, Oates, Pettey, Shorter, Tarrant, Webb and S. Williams.

And the House refused to lay the bill on the table. Yeas 35; nays 52.

YEAS—Messrs. Allen, Austin, Armstrong, Benham, Bennett, Boon, Bradford, Brown, Bulger, Byrd, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Freeman, Holley, Hopkins, Lea, Majors, Manasco, McCollum, Moss, Oates, Pettey, Pool, Presley, Rowe, Roper, Shorter, W. M. Smith, Stephens, Turner, G. W. Williams and Wilson.

NAYS—Messrs. Allison, Banks, Bass, Beck, Benbow, Booth, Caffey, Carlisle, Clements, Cooper, Nich. Davis, W. P Davis, Earnest, Gadney, Glover, Gonder, N. S. Graham, Hall, Henderson, Hendree, Henshaw Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Liddell, Moragne, McAllister, McCaskill, McMullen, Nicks, Phillips, Price, Robinson, Rowe, Shelley, John Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

Mr. Stephens moved to amend the bill by striking out $20,000 and inserting $1,000 per annum, provided that not more than $5,000 shall be expended.

Mr. Nathaniel Davis moved to postpone the bill to the 7th of February, and demanded the yeas and nays thereto, and the motion was lost. Yeas 36; nays 48.

YEAS—Messrs. Speaker, Allen, Armstrong, Austin, Benbow, Boon, Bradford, Bulger, Byrd, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Freeman, Hendree, Holley, Hopkins, J. W. W. Jackson, Lea, Majors, Manasco, McCollum, Moss, Oates, Pool, Presley, Reaves, Roper, Shorter, W. M. Smith, Stephens, Turner, G. W. Williams and Wilson.

NAYS—Messrs. Allison, Banks, Bass, Beck, Benbow, Booth.

Caffey, Carlisle, Clements, Cooper, Nicholas Davis, W. P. Davis, Earnest, Gladney, Glover, Gonder, N. S. Graham, Hall, Henderson, Hendree, Howard, F. S. Jackson, Jones, Kavanaugh, Porter King, Liddell, Moragne, McAllister, McCaskill, McMullen, Nicks, Pettey, Phillips, Robinson, John Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. Byrd moved the previous question and the call was sustaided.

Mr. Oates demanded the yeas and nays on ordering the bill to a third reading, and the bill was so ordered. Yeas 47; nays 37.

YEAS—Messrs. Allison, Bass, Beck, Benbow, Booth, Clements, Cooper, Nicholas Davis, W. P. Davis, Earnest, Gladney, Gonder, N. S. Graham, W. C. Graham, Hall, Henderson, Hendree, Henshaw, Howard, F. S. Jackson, Jones, P. King, Liddell, Moragne, McAllister, McCaskill, McMullen, Nicks, Pettey, Phillips, Price, Robinson, Rowe, Shelley, John Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

NAYS—Messrs. Speaker, Allen, Armstrong, Austin, Banks, Benham, Boon, Bradford, Brown, Bulger, Byrd, Caffey, Campbell, Cox, Critcher, J. W. Davis, Nathaniel Davis, Freeman, Glover, Holley, Hopkins, J. W. W. Jackson, Lea, Majors, Manasco, Moss, Oates, Pool, Presley, Reaves, Roper, Shorter, Webb, Smith, Stephens, Turner, G. W. Williams and Wilson.

Mr. Phillips introduced a bill to encourage works of internal improvement, which was read; and the constitutional rule being suspended, was read the second time forthwith and referred to the Committee of Ways and Means.

Mr. Liddell presented the petition of Joshua Oden, which was referred to the Committee on the 16th Section Fund.

Mr. Nathaniel Davis offered the following resolution, which was adopted:

Resolved, That the use of this hall at 7 o'clock this evening be granted to the adjourned meeting called to form a State Agricultural Association.

The hour of 1 P. M. having arrived the House adjourned.

AFTERNOON SESSION, January 22, 1852.

The House met pursuant to adjournment.

Mr. Walton, from the committee on corporations, by leave, reported back the bill to establish a State hospital for insane persons in Alabama, with an amendment, which was adopted; and on motion of Mr. Shorter, the bill was postponed until Saturday next, and made the special order for the hour of 11 of said day.

Mr. Walton, from the same committee, reported back the bill to incorporate the Selma Marine and Fire Insurance Company without amendment; and the constitutional rule being suspended, the bill was read a third time forthwith and passed.

Mr. Walton, from the same committee, reported back the bill to incorporate the Alabama Historical Society without amendment, and the constitutional rule being suspended said bill was read the third time forthwith and passed.

Mr. Walton, from the same committee, reported adversely to the petition asking the repeal of an act incorporating Rocky Mount Academy, and said report was concurred in.

Mr Walton, from the same committee, reported back the bill to incorporate the Tallassee Manufacturing Company No. 1. with an amendment by striking out the fourth section..

Mr. Nicks demanded the yeas and nays on the concurrence, and the House refused to concur in said amendment. Yeas 22; nays 43.

YEAS—Messrs. Allen, Benham, Brown, Cox, Crither, Henderson, Holley, F. S. Jackson, Jones, Porter King, Lea, McCollum, McMullen, Nicks, Pettey, Reaves, Robinson, Shorter, John Smith, Stone, Walton and G. W Williams.

NAYS—Messrs. Speaker, Allison, Armstrong, Austin, Banks, Benbow, Boon, Booth, Bulger, Byrd, Caffey, Campbell, Carlisle, Clements, Coleman, Cooper, J. W. Davis, Earnest, Freeman, Gladney, Glover, W. C. Graham, Hall, Hendree, Howard, J. W. W. Jackson, Moragne, Moss, Phillips, Pool, Price, Roper, Rowe, W. M. Smith, Stephens, Sterrett, Tarrant, Turner, Wallace, Warren, Watkins, Price Williams and Woolsey.

Mr. Pettey moved to recommit said bill, which motion was lost, and the bill was ordered to a third reading.

Mr. Walton, from the same committee, reported back the Senate bill to incorporate the Tallassee Manufacturing Company No. two, without amendment, and said bill was ordered to a third reading.

On motion of Mr Armstrong the bill to incorporate the Baptist Female Institute at Moulton was taken from the orders. The question recurred on Mr. Nicks' motion to reconsider the vote by which the sixth section was adopted, said motion was lost, and the constitutional rule being suspended said bill was read the third time forthwith.

Mr. McMullen demanded the yeas and nays on the passage thereof, and the bill was passed. Yeas 47; nays 20.

YEAS—Messrs. Speaker, Allison, Armstrong, Austin, Banks, Bass, Benbow, Booth, Brown, Bulger, Byrd, Caffey, Campbell, Carlisle, Earnest, Freeman, Gladney, Hall, Hendree, Howard, J. W. W. Jackson, Jones, Kavanaugh, Liddell, Majors, Moss, Phillips, Presley, Price, Robinson, Rowe, Roper, Shorter, John Smith, W. M. Smith, Stephens, Sterrett, Stone, Tarrant, Turner, Walker, Wallace, Watkins, G. W. Williams, P. Williams, S. Williams and Woolsey.

Mr. Nathaniel Davis demanded the yeas and nays on the passage of the bill, and the same was passed. Yeas 61, nays 17.

YEAS—Messrs Speaker, Adams, Allen, Allison, Austin, Banks, Benbow, Benham, Bennett, Booth, Brown, Caffey, Clements, Coleman, Cooper, Cox, Critcher, Freeman, Gladney, Glover, N. S. Graham, Hall, Hendree, Henshaw, Holly, Hopkins, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Liddell, Lea, McCaskill, McCollum, McMullen, Moss, Nicks, Petty, Phillips, Price, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, Staten, Sterritt, Stone, Tarrant, Turner, Wallace, Walton, Warren, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

NAYS—Messrs. Armstrong, Brown, Bradford, Campbell, Carlisle, J. W. Davis, Nathaniel Davis, Nicholas Davis, W. P. Davis, Henderson, Manasco, Oates, Pool, Presley, W. M. Smith, Stephens and Wilson.

Mr. Walton moved to suspend the general orders, to take up the resolution, proposing a day for a final adjournment.

Mr. Nathaniel Davis demanded the yeas and nays thereon, and the motion was lost. Yeas 35, nays 50.

YEAS—Messrs. Ashley, Banks, Bass, Benbow, Boon, Booth, Bradford, Campbell, Coleman, J. W. Davis, Nathaniel Davis, Hall, Holly, Hopkins, J. W. W. Jackson, Kavanaugh, Porter King, Majors, McAllister, Petty, Price, Robinson, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Walker, Walton, Watkins, Whitsitt, S. Williams, Wilson.

NAYS—Messrs Speaker, Adams, Allen, Armstrong, Austin, Benbow, Bennett, Brown, Bulger, Caffey, Carlisle, Cooper, Cox, Critcher, Nicholas Davis, W. P. Davis, Freeman, N. S. Graham, Henderson, Hendree, Henshaw, F. S. Jackson, Lea, Liddell, Maragne, HcCaskill, McCollum, McMullen, Moss, Nicks, Oates, Phillips, Pool, Presley, Reaves, Roper, Rowe, Shelley, John Smith, Staten, Sterritt, Turner, Wallace, Warren, G. W. Williams, P. Williams, Williamson and Woolsey.

Mr. Shelley presented the account of John Williamson, which was referred to the committee on Accounts.

Mr. Booth presented the petition of B. G. Davis. which was referred to the committee on the State Bank and Branches.

Mr. Booth moved to suspend the general orders, to take up the resolution respecting night sessions.

Mr. Bulger demanded the yeas and nays thereon, and the motion was lost. Yeas 33, nays 48.

YEAS—Messrs. Ashley, Benbow, Benham, Bennett, Boon, Booth, Bradford, Brown, Bulger, Clements, Critcher, J. W. Davis, Hall, Holly, J. W. W. Jackson, Maragne, McAllister, Phillips, Rowe, Shorter, John Smith, Stephens, Stone, Tarrant, Walton, Wallace, Walker, Watkins, Whitsitt, P. Williams and Wilson.

NAYS—Messrs Speaker, Adams, Allen, Allison, Austin, Banks, Bass, Caffey, Carlisle, Coleman, Cooper, Cox, Nathaniel Davis, Nicholas Davis, W. P. Davis, Freeman, N. S. Graham, Henderson, Henshaw, Hopkins, F. S. Jackson, Jones, Kavanaugh, Porter King, Lea, Majors, Manasco, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Pool, Presley, Reaves, Robinson, Roper, W. M. Smith, Staton, Sterritt, Turner, Warren, Webb, G. W. Williams and Woolsey.

Mr. Wilson, from the committee on accounts, reported a bill to compensate James H. McCarrell, jailor of Marshall county, which was read, and the constitutional rule being suspended, was read a second and third times forthwith and passed, and ordered to be sent to the Senate forthwith.

Mr. Warren presented a petition on the court house question, in DeKalb county, which was referred to the Committee on Propositions and Grievences.

The House then proceeded to the consideration of the general orders. The question recurred on the motion of Mr. Critcher, heretofore given, of a motion to reconsider the vote by which the bill to enlarge the corporation of the town of Fayetteville, was passed. The motion prevailed.

Mr. Coleman moved to amend by engrossed ryder, as follows: "Provided such tax shall not exceed one hundred dollars," which was read, and the constitutional rule being suspended, was read a second and third time forthwith and adopted.

Mr. McCollum demanded the yeas and nays on the passage.—Yeas 40, nays 25.

YEAS—Messrs. Speaker, Allen, Armstrong, Banks, Benham, Boon, Bradford, Bulger, Caffey, Campbell, Clements, Coleman, Nicholas Davis, Earnest, N. S. Graham, Hopkins, J. W. W. Jackson, Jones, Porter King, Moragne, McAllister, McCaskill, Moss, Oates, Robinson, Roper, Rowe, Shorter, W. M. Smith, Stephens, Sterritt, Stone, Tarrant, Turner, Wallace, Webb, Whitsitt, G. W. Williams, P. Williams and Wilson.

NAYS—Messrs. Ashley, Austin, Bass, Benbow, Cooper, J. W. Davis, Nathaniel Davis, W. P. Davis, Henderson, Holly, F. S. Jackson, Kavanaugh, Lea, Liddell, McCollum, McMullen, Nicks, Petty, Pool, Reaves, John Smith, Walton, Warren, S. Williams and Williamson.

The Engrossed Bills.

To continue the office of commissioner and trustee to settle the affairs of the State bank and branches, and for other purposes:

For the relief of Harrison F. Bizzle:

To incorporate the Conecuh Plankroad Company:

To incorporate the Eufaula Railroad Company:

To prevent willful evasions of the revenue laws of the State:

To authorize Elias Davis to build a mill on the Black Warrior river, in the county of Walker:

To appoint a receiver of the two and three per cent. fund:

In relation to the burnt records of Coffee county:

To compel chancellors to hold their courts:

To authorise the commissioners' court of Pickens county to pay E. C. Bryan a sum of money:

For the relief of Charles F. Lewis, sheriff of Macon county:

To incorporate the town of North Port in Tuscaloosa county:

To make permanent the court house in the county of Autauga:

To incorporate the Montgomery and Mobile Rail Road Company:

To repeal in part an act therein named and for other purposes:

To provide for contesting the Municipal Elections of Mobile and for other purposes:

To authorise the school commissioner in the township 14 and 15, range 26, in the county of Russell, to retain the notes given for 16th sections until due and collected:

To change the mode of receiving and disbursing the revenue of Mobile county, &c.:

For the relief of Young C. Hall, late tax collector of Baldwin county:

To incorporate the People's Spring Hill Plank or Shell Road Company:

To authorise the governor to furnish arms to the Orville Institute in Dallas county:

To divorce Cessarine V. Sestrade from her husband Jaques Sestrade; Sarah M. Hazzard from Robert F. Hazzard; Elizabeth T. Gray from Augustus P. Gray, and others:

To provide for the compensation of constables and jurors in justices' courts, in Butler county:

Were severally read the third time and passed.

The bills from the Senate:

To authorise the comptroller of the State to issue his warrant on the treasurer for excess of taxes paid by James A. Chapman, a non-resident tax payer:

To refund to Lancelot Johnson the amount of taxes improperly assessed for the year 1847:

To authorise the judge of probate of Mobile county to copy such books of record now in the probate court or record room of said county as are in a dilapidated state, &c.:

To authorise the commissioners of revenue of the county of Mobile to borrow money for the completion of the court house and for other purposes:

To incorporate the Rough and Ready Invincibles:

For the relief of John H. Gee and Moses Johnson, late tax collectors of Sumter and Shelby counties:

Were severally read the third time and passed.

The engrossed bill to extend the charter of the Mobile Bank was read the third time.

Mr. Campbell demanded the yeas and nays on its passage, and the bill passed. Yeas 66; nays 10.

YEAS—Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Benham, Boon, Booth, Bradford, Brown, Bulger, Caffey, Carlisle, Clements, Coleman, Cooper, J. W. Davis, Nicholas Davis, Earnest, Glover, Gonder, Hall, Hender-

NAYS—Messrs. Allen. Boon, Colman. Cox, Critcher, J. W. Davis, Nath. Davis, W. C. Graham. Henderson, Holley, F. S. Jackson, Manasco. McMullen, McCollum. Nicks, Petty, Pool, Reaves, Warren and Wilson.

Mr. Cooper, from the Committee on the Sixteenth Section Fund, reported a substitute for the bill providing for the extension of the sixteenth section notes.

Mr Presley moved to amend by requiring four securities instead of two, which motion was lost.

Mr. Hall moved to amend as follows. which was adopted:

Resolved, If interest is not punctually paid the whole amount of principal and interest shall be due and collected.

The constitutional rule being suspended the bill was then read the third time forthwith and passed.

The engrossed bills

To authorise and require the commissioners court of roads and revenue of Lauderdale county to submit to the voters of said county a certain proposition therein named and for other purposes.

"To authorise the Canton, Aberdeen, and Tuscumbia Rail Road Company to extend their rail road into the State of Alabama, and for other purposes,"

Were, upon motion of Mr. Watkins, taken from the orders and severally read the third time, and passed.

The House then proceeded to the consideration of the special order, it being "the bill to remove the obstructions in the Tombigbee river."

Mr. Watkins moved to amend as follows, by an additional section:

SEC. Be it further enacted, that the further sum of two thousand dollars of the three per cent. fund be and the same is hereby appropriated for the purpose of improving the navigation of Big Bear Creek in the county of Franklin, to be paid to such persons, not exceeding five in number. as the Governor or the State shall appoint as commissioners.

On motion of Mr. F. S. Jackson, said amendment was laid on the table, and the constitutional rule being suspended, the bill was read the third time forthwith.

Mr. Nathaniel Davis demanded the yeas and nays on the passage of the bill.

Mr. Austin moved to amend by engrossed rider, as follows:

"And be it further enacted, that the sum of ten thousand dollars be and the same is hereby appropriated out of the same fund, to remove obstructions in Tennessee river between Brown's Ferry and the Tennessee line, east from said ferry, to be disbursed under the direction of C. J. Lane, C. C. Spiller, Wm. H. Campbell, and David Larkins." Said engrossed rider was read, and the House refused to order it to a second reading.

Mr. Austin moved to amend by a second engrossed rider, as follows:

"Be it further enacted, that ten thousand dollars of the three per cent. fund be set apart for the purpose of clearing out the obstructions of the Paint Rock River, from Archibald Collins' in Jackson county to its mouth, where it empties into the Tennessee river, in the county of Madison, to be paid to such commissioners, not exceeding five, to be appointed by the Governor of the State," which was read, and pending the question on ordering the same to a second reading, the hour of 5 P. M. having arrived, the House adjourned.

FRIDAY, January 23. 1852.

The House met pursuant to adjournment.

Mr. Hopkins announced the death of his colleague, Dr. John R. Larkins, one of the representatives from the county of Sumter, and offered the following resolutions, which were unanimously adopted.

1. *Resolved*, That this House has heard with profound regret of the death of the Hon. John R. Larkins, a member of this body from the county of Sumter.

2. *Resolved*, That the Speaker be requested in the name and on behalf of the House, to tender the widow and family of our deceased brother member, our sincere condolence in this severe bereavement.

3. *Resolved*, That as a testimonial of regard for the deceased, the members and officers of the House will wear the usual badge of mourning for thirty days.

4. *Resolved*, That a committee of seven be appointed to act with a like committee on the part of the Senate, to make suitable and proper arrangements for the interment of the deceased.

5. *Resolved*, That as a further mark of respect, the rule be suspended, and that the House, after the formation of the funeral procession, shall stand adjourned until to-morrow morning at ten o'clock.

Messrs. Hopkins, Shorter, Glover, Webb, Hendree, Price Williams, and Campbell, compose the committee on the part of the House.

Mr. Hopkins, from the joint committee to make arrangements for the interment, made the following report:

The procession will form in front of the capitol at 11 o'clock, in the following order:

1st, The House of Repsesentatives, preceded by its officers.
2d, The Senate, preceded by its officers.
3d, The Governor and officers of State.
4th, The judges and bar of the Supreme Court.
5th, The corporate authorities of Montgomety.
6th, Citizens.

The procession will remove to the Exchange Hotel, thence to the Baprist Church, thence to the burial ground.

Adjutant General Mickle, marshal, with Mr. Stephens and Mr. Tarrant, as assistant marshals.

The House then adjourned till to-morrow morning at 10 o'clock.

SATURDAY, January 24, 1852.

The House met pursuant to adjournment.

On motion of Mr. Glover, the bill to remove the obstructions in the Tombigbee River was taken from the orders.

Mr. Austin moved to lay on the table the second engrossed rider, offered by him on Thursday. Said motion prevailed.

Mr. Boon offered to amend the bill by an engrossed rider appropriating ten thousand dollars out of the three per cent. fund, to be placed under the control of Abel Nichols, as president, John C. Matthews, Wm. Scammell, Elisha Simmons, Amos L. Mizzell, and Coleman Barnes, commissioners, for the purpose of removing the obstructions in the navigation of the Choctawhatche River between Geneva and Newton.

The said engrossed rider was read, and the House refused to to order the same to a second reading.

son, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, P. King, Pool, Presley, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, Stone, Tarrant, Wallace, Walton, Warren, Webb. Whitsitt, G. W. Williams, P. Williams, Williamson and Woolsey.

NAYS—Messrs. Campbell, Cox, Nathaniel Davis, Oates, W. M. Smith, Staten, Stephens, Sterrett, Turner and Wilson.

Mr. Webb, from the committee on the judiciary, by leave, reported a substitute for the Senate bill to enlarge the jurisdiction of the probate court and for other purposes, which was adopted; and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

The engrossed bill to provide for the issuing of patents for certain lands therein named. was read the third time, and on motion of Mr. Armstrong was laid on the table.

The engrossed bill to prevent negroes from trading and for other purposes, was read the third time.

Mr. Bradford moved to lay the bill on the table.

Mr. Price Williams demanded the yeas and nays thereon, and the motion prevailed. Yeas 55; nays 26.

Yeas—Messrs. Speaker, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Boon, Bradford, Caffey, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, Earnest, W. C. Graham, Hall, Henshaw, Hopkins, F. S. Jackson, J. W. W. Jackson, Jones, Porter King, Liddell, Manasco, McAllister, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Petty, Reaves, Roper, Rowe, Shelley, Shorter, W. M. Smith, Staten, Stephens, Sterrett, Snowden, Turner, Walker, Wallace, Walton, Warren, Webb, G. W. Williams and Wilson.

Nays—Messrs. Allen, Allison, Benham, Booth, Brown, Bulger, Clements, W. P. Davis, Freeman, Gladney, Gonder, Henderson, Holley, Majors, Phillips, Presley, Pool, Price, Robinson, John Smith, Stone, Tarrant, Watkins, Whitsitt, P. Williams and Woolsey.

The joint resolution to amend the Constitution of the State of Alabama was read the third time.

Mr. Shorter demanded the yeas and nays on the passage thereof, and the joint resolution was lost, two-thirds of the votes being requisite to its adoption. Yeas 41; nays 31.

Yeas.—Messrs. Allen, Armstrong, Ashley, Austin, Banks, Bass, Boon, Carlisle, Clements, Coleman, Cooper, Nath. Davis, W. P. Davis, Earnest, Freeman, Hendree, Henshaw, Holley, F. S. Jackson, Liddell, Manasco, Moragne, McAllister, McCollum, Pool, Presley, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Turner, Wallace, Walton, Warren, Williamson and Woolsey.

Nays—Messrs. Speaker, Allison, Benbow, Benham, Booth, Brown, Caffey, Campbell, Cox, Critcher, J. W. Davis, Glover, N. S. Graham, W. C. Graham, Hall, Henderson, Hopkins, J. W. W. Jackson, Jones, Lea, McCaskill, McMullen, Moss, Nicks, Phillips, Reaves, Roper Staton, Webb, Whitsitt and P. Williams.

The engrossed bill in relation to the sessions of the Supreme Court was read the third time.

Mr. Phillips moved to amend by an engrossed ryder as follows:

Said engrossed ryder was read three times forthwith and adopted, and the bill passed.

The engrossed bill to develope the mineral and agricultural wealth of the State was read the third time.

Mr. Hall moved to amend by an engrossed ryder as follows: "*Provided*, That no part of this appropriation shall be drawn from the treasury until the assent of Congress shall be obtained to the provisions of the bill," which was read three times.

Mr. Jones demanded the yeas and nays on its adoption, and the amendment was lost. Yeas 28; nays 41.

Yeas. Messrs. Speaker, Austin, Bass, Benbow, Campbell, Cooper, Cox, Critcher, Nath. Davis, Hall, Henshaw, Hopkins, Liddell, Moragne, Moss, Phillips, Robinson, Shorter, Stephens, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, Wilson and Woolsey.

Nays—Allen Allison, Armstrong, Ashley, Banks, Bennett, Boon, Bulger, Caffey, Carlisle, Clements, Coleman, J. W. Davis, W. P. Davis, Gonder, Henderson, Holley, F. S. Jackson, J. W. W. Jackson Jones, Porter King, Lea, Manasco, McCaskill, McCollum, McMullen, Nicks, Pool, Price, Reaves, Roper, Rowe, John Smith, W. M. Smith, Sterrett, Snowden, Walton, Warren, G. W. Williams, S. Williams and Williamson.

Mr. Phillips demanded the yeas and nays on the passage of the bill, and the bill passed. Yeas 39; nays 33.

Yeas—Messrs. Allison, Ashley, Benbow, Caffey, Carlisle, Clements, Cooper, Gonder, N. S. Graham, Hall, Henderson, Henshaw, F. S. Jackson, Jones, Porter King, Liddell, Moragne, McCaskill, Nicks, Phillips, Price, Robinson, Rowe, Shelley, John Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, Price Williams, Seaborn Williams Williamson and Woolsey.

Nays—Messrs. Speaker, Allen, Armstrong, Austin, Banks, Benham, Bennett, Boon, Bulger, Campbell, Coleman, Cox, Critcher, Jas. W. Davis, Nath Davis, Freeman, Holley, Hopkins, J. W. W. Jackson, Lea, Manasco, McCollum, McMullen, Moss, Pool, Reaves, Roper, Shorter, Wesley M. Smith, Stephens, Snowden G. W. Williams and Wilson.

The Senate bill to incorporate the Tallasee Manufacturing Company Number One, was read the third time, and Mr. Nicks demanded the yeas and nays thereon.

Pending which, the hour of one P. M. having arrived, the House adjourned.

Afternoon Session, January 24, 1852.

The House met pursuant to adjournment, and resumed the consideration of the bill to incorporate the Tallasee Manufacturing Company. Number One.

The question recurred on the call of Mr. Nicks for the yeas and nays on the passage of the bill, and the bill passed. Yeas 41; nays 16.

Yeas—Messrs. Speaker, Armstrong, Ashley, Banks, Bass, Benbow, Bennett, Boon, Bradford, Brown, Bulger, Campbell, Carlisle, J. W. Davis, Earnest, Gladney, Glover, Hall, Hendree, Hopkins, J. W. W. Jackson, Kavanaugh, Majors, Moragne, McCaskill, Moss, Price, Roper, Shorter, W. M. Smith, Sterrett, Snowden, Stone, Tarrant, Watkins, Whitsitt, P. Williams, S. Williams and Woolsey.

Nays—Messrs. Allen, Austin, Benham, Coleman, Cox, Critcher, Nath. Davis, Gonder, Henderson, Holley, Porter King, Lea, Liddell, McCollum, McMullen and Reaves.

On motion of Mr. Earnest the resolution offered by Mr. Boon in relation to night sessions, was taken up.

Mr. Price Williams moved to amend by striking out "half past" before "seven," which was adopted, and the resolution was adopted.

The Senate bill to incorporate the Tallassee Manufacturing Company, Number Two, was read the third time and passed.

The question recurred on the adoption of the joint resolution from the Senate in relation to slavery and the compromise measures, the provious question having heretofore been sustained thereon.

Mr. Speaker decided the question to be divisible, and that the vote could be taken on each resolution *seriatem*, from which decision

Mr. Phillips appealed. and demanded the yeas and nays thereon, and the decision of the chair was not sustained. Yeas 35; nays 37.

Yeas—Messrs. Allen, Allison, Ashley, Banks, Bass, Benbow, Benham, Bradford, Brown, Caffey, Carlisle, Earnest, Freeman, Glover, Gonder, Henderson, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Lea, Liddell, Moragne, Moss, Nicks, Shelley, John Smith, W. M. Smith, Sterrett, Walker, Warren, Watkins, Williamson and Woolsey.

Nays—Messrs. Armstrong, Austin, Bennett, Boon, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, J. W. W. Jackson, Porter King, Majors, Manasco, McCaskill, McCollum, McMullen, Pettey, Phillips, Pool, Price, Reaves, Rowe, Shorter, Stephens, Snowden, Stone, Tarrant, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. Phillips demanded the yeas and nays on the passage of the resolutions, and the resolutions were lost. Yeas 37; nays 40.

Yeas—Messrs. Allison, Ashley, Banks, Bass, Benbow, Benham, Bradford, Caffey, Carlisle, Nich. Davis, Earnest, Freeman, Glover, Gonder, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Liddell, McCollum, Moss, Nicks, Pettey, Roper, Shelley, John Smith, W. M. Smith, Snowden, Walker, Wallace, Watkins, Webb, S. Williams, Williamson and Woolsey.

Nays—Messrs. Speaker, Allen, Armstrong, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nath. Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, Henderson, J. W. W. Jackson, Porter King, Majors, Manasco, Moragne, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Rowe, Shorter, Stephens, Sterrett, Stone, Tarrant, Warren, Whitsitt, P. Williams and Wilson.

Mr. Hall moved to reconsider the vote just taken.

Mr. Shelley moved to postpone said motion until Monday next at 11 o'clock.

Mr. Hall asked leave to withdraw said motion, and the House refused leave.

Mr. Wilson moved to postpone said motion until the 9th of February.

Mr. Pettey demanded the yeas and nays thereon, and the motion prevailed. Yeas 38; nays 37.

YEAS—Messrs. Allen, Armstrong, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, J. W. Davis, Nath. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, Henderson, J. W. W. Jackson, Porter King, Majors, Manasco, Moragne, McCaskill, McMullen, Phillips Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Whitsitt, G. W. Williams, P. Williams, Wilson and Woolsey.

NAYS—Messrs. Allison, Ashley, Banks, Bass, Benbow, Bradford, Caffey, Carlisle, Cox, Nich. Davis, W. P. Davis, Earnest, Freeman, Glover, Gonder, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Lea, Liddell, McCollum, Moss, Nicks, Pettey, Roper, Shelley, John Smith, Snowden, Walton, Wallace, Warren, Watkins, Webb, S. Williams and Williamson.

Mr. Shorter moved to reconsider the vote just taken.

Mr. John Smith demanded the yeas and nays, and the motion was lost. Yeas 33; nays 41.

Nays, Messrs. Allen, Armstrong, Austin, Bennett, Boon, Brown, Bulger, Campbell, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Gladney, N. S. Graham, W. C. Graham, Hall, Henderson, J. W. W. Jackson, Porter King, Majors, Manasco, Moragne, McCaskill, McMullen, Phillips, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Stephens, Stone, Tarrant, Walker, Warren, Whttsitt, G. W. Williams, P. Williams and Wilson.

The Senate bill, to amend an act approved 5th February, 1850, entitled an act to incorporate the Montgomery and Tuskaloosa Plank Road Company, was read the second time, and on motion of Mr. Wallace, was postponed and made the special order for the hour of 3 P. M. of Monday next.

The bill to appoint an additional surveyor in the county of Cherokee was read the second time.

Mr. McCollum moved to amend by adding Fayette, which was adopted, and the bill ordered to be engrossed for a third reading.

The bill for the relief of Mark Boulwave, and

For the relief of R. G. Walker,

Were severally read the second time, and ordered to be engrossed for a third reading.

The bills, to repeal a portion of an act therein named, and

To create a clerkship in the comptroller's office,

Were severally read the second time, and referred to the Committee on Ways and Means.

The bill to establish a certain road therein named, was read the second time, and the constitutional rule being suspended, was read a third time, forthwith, and passed.

The bill, to attach a portion of the county of Pickens to the county of Greene, was read a second time.

Mr. Lea moved to amend, as follows:

And be it further enacted, that sections 24, 35, and 36, of T. 19, R. 3, east, of the county of Greene, be and the same are hereby added to and constituted a part of Perry county.

There being much "noise and confusion" in the lobby, on motion of Mr. Webb, the door keeper was ordered to clear the same.

The hour of 5 P. M. having arrived, the House adjourned.

MONDAY, January 26, 1852.

The House met pursuant to adjournment.

The Speaker laid before the House a record of divorce, which referred to the Committee on Divorce and Alimony.

Mr. Henshaw presented the following protest:

I protest against the preamble, because it places the whole southern rights party in the same category with the abolitionists, so far as the end is concerned each has in view, visiting on the heads of a large and respectable party of our section, the sins of an indiscreet minority with whom circumstances for the time being placed it in political association. This assertion, so sweeping in character, I am not prepared to admit. The abolitionists proclaim themselves disunionists *per se*. A very large majority of the southern rights party deny this. They have denounced in language of stern indignation the aggressions upon our constitutional rights, of northern fanaticism. That they were imprudent, and that some of the measures advocated by them would have been powerless for good if carried into practical operation, I believed and do now believe, but it does not follow from this that there is a community of purpose, to wit, a dissolution of the Union, between them and the members of the Syracuse and other anti-slavery conventions of the north. I protest against the fifth resolution of the series, because it is to convert parties in the State from national to sectional ones, upon the ground that the whole north is untrue to its constitutional obligations, and not to be trusted. This I do not believe to be true in point of fact, and does the same injustice to our northern brethren, that I conceive is done by the preamble, to the Southern rights men.

A committee of the whole South, if it be possible, to the resistance line laid down in the remaining resolutions, the Georgia platform, proper, in my opinion, of importance to the maintenance of our rights in the Union, and therefore I wished to vote for them. As I could not, under the decision of the House, without voting for the whole, I therefore do so, and enter this my protest against the preamble and fifth resolution of the same.

A. J. HENSHAW.

On motion of Mr. Jones, the vote by which the bill to compel chancellors to hold their courts, passed, was reconsidered.

Mr. Jones moved to amend by engrossed rider, as follows: Provided there shall be no forfeiture for the loss of a day at the commencement of any term, if the preceding court adjourned so late that the chancellor cannot reach the place of holding court in time to open the same; nor when he is prevented from reaching the place where a court sits, by high water; nor shall any chancellor be compelled to travel on the Sabbath day, to reach a court the first day. And provided further, that such absence is not attributable to any willful neglect of duty.

Said engrossed rider was read three several times, forthwith, and adopted, and the bill passed.

The clerk was ordered to return to the Senate the bill for the relief of Mary C. Waters.

Bills were introduced by

Mr. Allen, to authorise the sale of the real estate of James Lowry, late of Benton county, deceased:

Mr. Allen, to incorporate the town of Oxford, in the county of Benton:

Mr. Woolsey, to change the corporate name of the Central Masonic Institute of the State Alabama, and for other purposes:

Mr. Webb, for the relief of Sarah A. Witherspoon, executrix of the last will of R. F. Witherspoon, and her securities:

Mr. Earnest, to require the clerk of the Supreme Court to forward certificates to the courts below, as soon as the business of each division is disposed of:

Mr. Critcher, to regulate the keeping of papers in the county of Marshall.

Said bills were severally read and the constitutional rule being suspended, were read the second and third times forthwith and passed.

Mr. Henderson presented the petition of Augustus Harrison and others, which was referred to the committee on Propositions and Grievances.

Mr. Cooper introduced a bill to incorporate the Cherokee Plankroad Company, and the Gadsden and Springville Plankroad Company, which was read, and the constitutional rule being suspended was read the second time forthwith and referred to the committee on Internal Improvements.

Mr. McCollum introduced a bill to secure the rights of tax payers, which was read, and the constitutional rule being suspended, was read a second time forthwith and referred to the committee on Ways and Means.

Bills were introduced by:

Mr. Watkins, in relation to the dismissal of causes in the Supreme and other courts:

Mr. S. Williams, to change the law in relation to the hire of slaves.

Said bills were severally read and the constitutional rule being suspended, were read the second time forthwith, and referred to the committee on the Judiciary.

Bills were introduced by:

Mr. Watkins, to provide for draining the pond district, in the county of Franklin:

Mr. S. Williams, compensationg administrators in certain cases:

Mr. S. Williams, more effectually to suppress gaming on the Sabbath.

Which were severally read, and ordered to a second reading.

Mr. Kavanaugh presented a petition from Madison county, which was referred to the committee on the Judiciary.

Mr. Brown introduced a bill for the relief of the heirs of Robert Hughes, deceased, of the county of Marion, which was read, and the constitutional rule being suspended, was read a second time forthwith, and ordered to be engrossed for a third reading.

Mr. Robinson introduced a bill to incorporate the Creole Union Benevolent Society of the city of Mobile, which was read, and the constitutional rule being suspended, was read the second time forthwith, and pending the question of suspending the constitutional rule to give said bill a third reading forthwith, the hour of 11, having arrived, the House proceeded to the consideration of the report of the joint committee on the code.

The question recurred on the adoption of the substitute reported by the committee in lieu of the bill to provide for the adoption, printiug and distribution of the Code of Alabama.

Mr. Bulger moved to lay the report, bill and substitute on the table.

Mr. Oates called for a division of the question, and,

Mr. Bulger withdrew his motion.

Mr. Oates moved to lay the bill and substitute on the table, and withdrew said motion.

The substitute was then adopted.

On motion of

Mr. Nathaniel Davis, the House resolved itself into a committee of the whole on said bill and report.

After some time spent in deliberation, the committee rose, and through their chairman, reported progress and asked and obtained leave to sit again.

The hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 26, 1852.

The House met and resolved itself into a committee of the whole, on the report and bill of the joint committee on the Code.

After some time spent in deliberation thereon, the committee rose and reported the bill back with amendments.

The question recurred on the adoption of said amendments.

Mr. ——— called for a division of the question.

Mr. Bulger called for the reading of the Code.

Mr. Price Williams objected thereto, and,

Mr. Bulger withdrew said call, and called for the material alterations as reported by the joint committee of the two Houses.

Mr. F. S. Jackson called for the reading of the Code.

Mr. Price Williams objected thereto.

A point of order having been made, Mr. Speaker decided that a majority of the House could refuse the reading.

Mr. F. S. Jackson appealed from the decision of the chair, and demanded the yeas and nays thereon, and the chair was sustained. Yeas 51, nays 25,

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Austin, Banks, Benbow, Benham, Bennett, Boon, Bradford, Brown, Caffee, Campbell, Carlisle, Coleman, J. W. Davis, Nicholas Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, W. C. Graham, Henderson, Henshaw, Holly, Hopkins, Howard, Jones, M. A. King, Lea, Moragne, Pool, Price, Reaves, Shelley, Sterritt, Snowdon, Stone, Tarrant, Walker, Walton, Warren, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Bulger, Cooper, Cox, Critcher, Nathaniel Davis, Hall Hendree, F. S. Jackson, J. W. W. Jackson, Liddell, McAllister, Manasco, McCaskill, McCollum, McMullen, Oates, Petty, Phillips, Robinson, Rowe, Shorter, W. M. Smith, Stephens, Watkins and Wilson.

The question shall the Code be read, then recurred, and was decided in the negative, Mr. Cooper demanding the yeas and days thereon. Yeas 34, nays 44.

Those who voted in the affirmative are, Messrs. Brown, Bulger, Caffey, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Hall, Henderson, Hendree, Holly, F. S. Jackson, J. W. W. Jackson, Lea, Liddell, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Oates, Petty, Phillips, Reaves, Robinson, Shelley, Shorter, W. M. Smith, Snowdon, Watkins and Wilson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Austin, Banks, Benham, Bennett, Boon, Bradford, Campbell, Carlisle, Coleman, Nicholas Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Gonder, N. S. Graham, W. C. Graham, Henshaw, Hopkins, Howard, Jones, M. A. King, Majors, Pool, Price, Stephens, Sterritt, Stone, Tarrant, Walker, Wallace, Warren, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams and Williamson.

Mr. Bulger withdrew his call for the reading of the material alterations, as reported by the joint committee.

Mr. Freeman moved to adjourn.

Mr. Cooper demanded the yeas and nays thereon, and the motion prevailed. Yeas 53, nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Austin, Banks, Benbow, Benham, Bennett, Boon, Bradford, Brown, Caffey, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, Earnest, Freeman, Gladney, Glover, N. S. Graham, Hall, Henderson, Henshaw, Holley, Howard, F. S. Jackson, Jones, M. A. King, Lea, Majors, McCaskill, McCollum, Pettey, Price, Robinson, Shelley, Shorter, Stephens, Sterrett, Snowden, Stone, Tarrant, Walker, Warren, Watkins, P. Williams, S. Williams and Wilson.

Those who voted in the negative are, Messrs. Campbell, Cooper, Nich. Davis, W. P. Davis, Gonder, Hendree, Liddell, Manasco, Moragne, McMullen, Nicks, Oates, Pool, Reaves, W. M. Smith, Wallace, Webb, Whitsitt, G. W. Williams and Williamson.

NIGHT SESSION, January 26, 1852.

The House met pursuant to adjournment.

On motion of F. S Jackson the roll was called, and the following members answered to the call.

Messrs. Speaker, Allison, Allen, Benbow, Boon, Bulger, Campbell, Cooper, Cox, J. W. Davis, Nath. Davis, Earnest, Freeman, Gladney, Glover, W. C. Graham, Hendree, Henderson, Henshaw, Holley, Hopkins, Howard, F. S Jackson, J. W. W. Jackson, Jones, Lea, Majors, Moragne, Manasco, McCaskill, McMullen, Pettey, Pool, Reaves, Robinson, Rowe, Shorter, John Smith, W. M. Smith, Sterrett, Wallace, Walker, Warren, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

The engrossed bill to appoint an additional surveyor for the county of Cherokee and Fayette was read the third time.

Mr. Cooper demanded the yeas and nays on the passage thereof, and the bill passed Yeas 48; nays 4

Those who voted in the affirmative are, Messrs. Speaker, Allen, Austin, Benbow, Boon, Bulger, Campbell, Carlisle, J. W. Davis, Nath. Davis, Earnest, Freeman, Glover, W. C. Graham, Hall, Henderson, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Lea, Majors, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Pool, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Sterrett, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, Williamson, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Cooper, Cox, Hendree and Henshaw

The bills

To divorce certain persons therein named:

To amend and extend an act approved 23d February, 1845, authorising Edmund Wiggins to erect a toll bridge over Pea River, in Coffee county, at Geneva:

To require the circuit clerk, treasurer and sheriff to receive county claims in payment of fines and forfeitures in the county of Walker:

To establish justice's courts in the county of Hancock and to regulate the proceedings therein:

For the relief of William Duboise and others:

To change the name of a certain person therein named:

Relating to the county treasurer of Walker county:

To incorporate the Pike Rangers of Pike county:

To divorce certain persons therein named:

To authorise Wm R. King to erect a mill dam across Loft creek, in the county of Walker:

For the relief of Missouri Ballard and others:

To repeal in part an act approved 21st January, 1851, relative to the county treasurer of Marion county:

To authorise Martin Pond, administrator, &c., bad and doubtful debts of Lewis W. Pond, deceased:

To provide for the payment of jurors in certain cases in the county of Franklin:

For the benefit of Joseph Cunningham of Macon county.

To authorise the county of Barbour to subscribe for rail road stock:

To incorporate a Male and Female Academy at Rehobeth in Wilcox county:

To authorise the sheriff of Baldwin county to execute constable's duty in certain cases:

To increase the fees of the clerk of the circuit court of Baldwin county:

To provide for the building of a new court house in the county of Shelby:

To amend the road law of the State in the county of Cherokee:

To amend and alter the charter of the city of Wetumpka:

To incorporate the Mill Town Male and Female Academies in the county of Chambers:

For the relief of Wm. F. Roberts:

To regulate sales by constables in the county of Marion:

To establish an additional beat in the county of Bibb:

To divorce Moses Upchurch from his wife, Lucinda Upchurch:

To change the place of holding the chancery court for the second district of the southern division of the State of Alabama:

For the relief of S. R. Hereford:

For the relief of Woodson Wade, guardian of J. W. Wade, et. al.

And the bills from the Senate:

To provide for taking the sense of the qualified voters of the city of Montgomery as to the manner of electing the city marshal and for other purposes:

To authorise the compromise of bad and doubtful debts belonging to the estate of J. P. Poslin:

For the relief of the heirs of James English, deceased:

To authorise the judge of probate of Randolph county to make titles to town lots in the town of Medowee:

To extend the duties of the sheriff of the county of Hancock and for other purposes:

Ratifying and confirming some of the acts of the town council of Cahawba:

For the relief of the judge of probate and sheriff of Hancock county:

To repeal certain acts therein named:

To authorise the commissioners' court of Lauderdale county to pay the sheriff of said county for ex officio services:

To declare P. P. Coleman a citizen of the county of Perry and for other purposes:

To amend an act to incorporate the town of Florence, approved the 14th January, 1826:

To authorise the sale of the 16th section in township 4, range 3:

To change the time of holding the spring term of the circuit court of the county of Sumter:

To establish a new beat in 73d regiment in the county of Benton; (amended on motion of Mr. Allen by striking out 73d and inserting 97th:)

Were severally read the second time; and the constitutional rule being suspended, were severally read the third time forthwith and passed.

The bill to incorporate the Masonic Female College at Auburn was read the second time, (and amended on motion of Mr. S. Williams by adding a proviso to the 4th section, and on motion of Mr. Shorter by the addition of a section to be numbered 5,) and the rule being suspended, the bill was read the third time forthwith and passed.

The bills:

To regulate the liability of persons to work on the public roads in Talladega county:

Authorising certain persons therein named to construct dams across Will's Creek:

Were read the second time and referred to the Committee on Roads, Bridges and Ferries.

The bills:

To establish election precinct at the house of John Nixon, in the county of Lowndes.

At Center Star, in the county of Lauderdale, and to change an election precinct in the county of Chambers, and in the county of Tuscaloosa, were severally read the second time and referred to the Committee on Privileges and Elections.

The bill for the relief of W. W. Smith, of the county of Fayette, was read the second time and referred to the Committee on the Judiciary.

The bill to charter the Montgomery Insurance Company was read the second time and referred to the Committee on Corporations.

The bill to change the mode of appointing assessors and collectors of taxes in Marion county, was read the second time, and referred to the Committee of Ways and Means

The bill to regulate camp meeting in the county of Clarke, was read the second time, and referred to the Committee on Propositions and Grivances.

The bill to authorise the building of a mill on the Tennessee river, was read the second time, and referred to a select committee, composed of the representatives from the counties of Lawrence and Franklin.

The bill from the Senate to authorise the Governor to issue a patent to certain school lands therein specified, and the bill to authorise the school commissioners in the county of Cherokee to retain the notes given for sixteenth sections until due and collected, were severally read the second time, and referred to the Committee on the Sixteenth Section Funds.

The bill from the Senate to legalise a certain marriage therein named, and for other purposes, was read the second time and referred to the Committee on Divorce and Alimony.

The bills from the Senate:

To incorporate the Central Southern Mechanical and Literary Institute:

Authorising the chancellor of the northern division to hold an additional term of the chancery court for the thirty-eighth district: and

The bill for the relief of Mary Austin:

Were severally read the second time, and ordered to a third reading.

Mr. Francis S. Jackson, by leave, introduced a bill to incorporate the Montgomery Mechanics' Association, and the Mobile Mechanics' Association, which was read, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

The hour of 9 P. M. having arrived, the House adjourned.

TUESDAY, January 27, 1852.

The House met pursuant to adjournment.

The question recurred on suspending the constitutional rule to give the bill to incorporate the Creole Benevolent Society of the City of Mobile a third reading. The motion prevailed, and the bill was read a third time and passed.

Bills were introduced by:

Mr. F. S. Jackson, in relation to taxing licenses:

Mr. Whitsitt, to subscribe a portion of the three per cent. fund to the Mobile and Ohio Railroad Company:

Which were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the Committee on Ways and Means.

Bills were introduced by:

Mr. Stone, for the relief of John P. McCracken, executor, &c., and his securities:

Mr. Hopkins, to locate school lands of township 17, range 1 west, in Sumter county.

Mr. Hopkins, to erect a tombstone over the remains of Hon. John R. Larkins, deceased.

Mr. Hopkins, to divide beat No. 3 of the 89th regiment:

Mr. Liddell, to incorporate the Presbyterian Female Collegiate Institute at Talladega:

Mr. Banks, to provide for the compensation of jurors and witnesses in Tuskaloosa county:

Mr. Sterrett, to authorise the Governor to furnish arms to the Wilcox Male Institute:

Mr. Whitsitt, joint resolutions authorising D. Hopkins to draw the pay due the Hon. John R. Larkins, deceased:

Which were severally read. and the constitutional rule being suspended. were read the second and third times forthwith, and passed.

Mr. Whitsitt introduced a bill relating to slaves and free persons of color, which was read, and the constitutional rule being suspended. was read the second time forthwith. and referred to the Committee on the Judiciary.

Mr. Hopkins introduced a bill to repeal an act for the encouragement of education, which was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on the Sixteenth Section Fund.

The bill from the Senate, supplemental to an act approved December 10, 1851, to authorise the judges of the city and circuit courts of Mobile to transfer cases, and to change the time of holding the city court was read, and the constitutional rule being suspended, was read the second time forthwith, and passed.

Mr. Liddell presented a petition from citizens of Benton county, which was referred to the Committee on County Boundaries.

Mr. Manasco introduced a bill to remove the obstructions in Lost river, in the county of Walker. which was read, and the constitutional rule being suspended, was read the second time forthwith, and referrvd to the Committee on Internal Improvements. with instructions to report as early as practicable.

Mr. Sterrett introduced a bill for the relief of E. L. Moore, jailor of Wilcox county, which wss read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on Accounts.

Mr. Nath. Davis offered the following resolution, which was adopted.

Resolved, That the engrossing clerk be authorised to employ such assistance as may be necessary to keep up the business of his office.

Mr. N. S. Graham presented the petition of J. A. Brasher and 33 others of Coosa county, to be attached to the county of Shelby, which was referred to the Committee on County Boundaries.

The hour of 11 A. M. having arrived, the House proceeded to the consideration of the bill to provide for the adoption, printing, and distribution of the Code of Alabama.

The question recurred on the call of Mr. Bulger for the reading of the most material alterations of the existing law, made by the Code.

Mr. Bulger withdrew his call.

Mr. Nicks called for the reading of so much of the Code as has been reported by the committee, which embraces the most material alterations of the existing law made by said Code: to be read by sections, and passed or rejected, separately.

Mr. Webb in the chair, ruled all of said call, after the word sections, to be out of order at this time.

Mr. Price Williams objected to the reading, as called for.

Mr. Cooper moved to suspend the special order to offer the following resolution:

Resolved, That it is the right of any member on this floor to call for the reading of as many sections of any part of the new Code, for the purpose of information, as he may see proper, and to offer any amendment which is germain thereto, so long as the same shall remain in order for amendment, under the standing rules of this House, and demanded the yeas and nays on the suspension, and the motion was lost. Yeas 34: nays 45.

Yeas, Messrs. Adams, Allison, Benbow, Brown, Bulger, Caffey, Carlisle, Cooper, Cox, Nath'l Davis, Hall, Hendree, Holley, F. S. Jackson, J. W. W. Jackson, Lea, Liddell, Majors, Manasco, McCaskill, McCollum, McMullen, Nicks, Oates, Phillips, Presley, Reaves, Shelley, John Smith, W. M. Smith, Warren, Williamson, Wilson, and Woolsey.

Nays, Messrs. Allen, Austin, Banks, Bass, Benham, Boon, Bradford, Bussey, Campbell, Coleman, J. W. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N. S. Graham, W. C. Graham, Henshaw, Hopkins, Howard, M. A. King, Petty, Pool, Prentice, Robinson, Roper, Rowe, Shorter, Staten, Stephens, Sterritt, Snowden, Tarrant, Walker, Wallace, Walton. Watkins, Webb, Whitsitt, G. W. Williams, P. Williams, and S. Williams.

The question recurred on the call made by Mr. Nicks.

Mr. P. Williams withdrew his objection.

The clerk then proceeded to read the sections in the Code indicated.

Mr. Oates moved to amend the Code by striking out section 67.

Mr. Webb in the chair ruled said motion out of order, and Mr. Oates appealed, and demanded the yeas and nays thereon, and the chair was sustained. Yeas 58; nays 20.

Yeas, Messsrs. Speaker, Allen, Austin, Banks, Bass, Benbow, Benham, Bradford, Brown, Campbell, Carlisle, Cox, Nath'l Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Hopkins, Howard, Jones, M. A. King, Lea, Majors, McAllister, McCaskill, Pettey, Phillips, Pool, Prentice, Roper, Shelley, Shorter, John Smith, Staten, Stephens, Sterritt, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Warren, Webb, Whitsitt, G. W. Williams, P. Williams, Williamson, Wilson, and Woolsey.

Nays, Messrs. Adams, Allison, Boon, Bulger, Cooper, Critcher, J. W. Davis, Holley, F. S. Jackson, Liddell, Manasco, McCollum, McMullen, Nicks, Oates, Presley, Reaves, Rowe, W. M. Smith, and Watkins.

On motion of Mr. Shelley, the reading was suspended. Mr. Shelley moved to lay the bill and amendment on the table, in order to take up the Code, and withdrew his motion, and Mr. Nicks withdrew his call for the reading.

The question recurred on the adoption of the amendments reported by the Committee of the Whole to the bill to provide for the adoption, printing, and distributing of the Code.

Mr. Wilson called for a division of the question.

Mr. Robinson moved to suspend the special order to take up the bill reported by the Committee on Education, and demanded the yeas and nays thereon, and the motion was lost. Yeas 31; nays 47.

Yeas, Messrs. Austin, Banks, Benham, Brown, Bulger, Bussey, Carlisle, Cooper, Critcher, J. W. Davis, Nich. Davis, N. S. Graham, Hendree, Henshaw, Holley, F. S. Jackson, J. W. Jackson, Liddell, Manasco, McCollum, McMullen, Oates, Robinson, W. M. Smith, Snowden, Tarrant, Warren, Watkins, and Seaborn Williams.

Nays, Messrs. Speaker, Allen, Allison, Bass, Benbow, Boon, Bradford, Campbell, Coleman, Nath'l Davis, W. P. Davis, Freeman, Gladney, Glover, Goldsby, Gonder, W. C. Graham, Howard, Jones, M. A. King, Majors, McAllister, McCaskill, Nicks, Pettey, Phillips, Prentice, Presley, Reaves, Roper, Rowe, Shelley, John Smith, Staten, Stephens, Sterritt, Stone, Wallace, Walton, Webb, Whitsitt, G. W. Williams, P. Williams, Williamson, Wilson, and Woolsey.

The question recurred on the adoption of the first amendment of the Committee of the Whole, as follows: After the word "enacted," insert:

That the Code of laws prepared and reported pursuant to the act of the last session of the General Assembly is hereby received and adopted as provided herein, and by said Code, as the Code of Alabama, and pending which the hour of one P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 27, 1852.

The House met pursuant to adjournment.

Mr. Wilson, from the committee on accounts, made the following report, which was concurred in:

The committee on accounts to whom was referred the account of Drs. Carmichael and McDuffee, which had been presented to his excellency the governor, and by him transmitted to the House of Representatives, have had the same under consideration, and have instructed me to ask leave to return the same to his excellency the governor, and recommend that he draw his warrant on the treasurer of the State of Alabama in favor of said Carmichael and McDuffee for the sum of fifteen hundred dollars, as compensation to them for services rendered in arresting the small pox in the county of Barbour in the year 1851.

WILSON,
Chairman Committee on Accounts.

The House then resumed the consideration of the report and bill to provide for the adoption, printing and distribution of the code.

The question recurred on the adoption of the first amendment reported by the committee of the whole.

Mr. Allen withdrew his call for the reading of the material alterations, and Mr. Cooper renewed it.

The first and second of said amendments were then adopted.

Mr. F. S. Jackson moved to add $500 after $1000 in the 18th section.

Mr. Wilson demanded the yeas and nays thereon and the motion was lost. Yeas 5; nays 62.

YEAS—Messrs. Cooper. Glover, F. S. Jackson, Robinson and Walker.

NAYS—Messrs. Speaker, Adams, Allen, Austin, Banks, Bass, Benbow, Benham, Boon, Bradford, Brown, Campbell, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nicholas Davis, Earnest, Freeman, Goldsby, Hall, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Lea, Liddell, Majors, Manasco, McAllister, McCaskill, McCollum, McMullen, Nicks, Phillips, Pool, Presley, Reaves, Roper, Rowe, Shelley, Shorter, J. Smith, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Tarrant, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

Mr. F. S. Jackson demanded the yeas and nays on the amendment filling the blank in the 18th section with "one thousand," and the amendment was adopted. Yeas 44; nays 25.

Yeas, Messrs. Speaker, Allen, Allison, Banks, Bass, Benbow, Benham, Bradford, Bussey, Campbell, Critcher, Nath'l Davis, Nich. Davis, Earnest, Freeman, Glover, W. C. Graham, Hall, Hopkins, Howard, Jones, M. A. King, Lea, McAllister, McCaskill, Phillips, Pool, Reaves, Robinson, Roper, Rowe, Shorter, Sterritt, Snowden, Stone, Tarrant. Wallace, Walker, Walton, Warren, Watkins, Webb, Whitsitt, S. Williams.

Nays—Messrs. Adams, Austin, Boon, Brown, Bulger, Carlisle, Coleman, Cooper, Cox, J. W. Davis, Hendree, F. S. Jackson, J. W. W. Jackson, Liddell, Manasco, McCollum, McMullen, Nicks, Presley, Shelley, John Smith, W. M. Smith, Stephens, Williamson and Wilson.

Mr. Glover moved the previous question, and Mr. McMullen demanded the yeas and nays thereon.

Mr. Cooper called for the reading of the material alterations reported by the joint committee.

Mr. Robinson objected to the reading, and Mr. Speaker decided that the reading could be had notwithstanding the objection.

Mr. Robinson appealed from the decision of the chair.

Mr. Cooper demanded the yeas and nays thereon and the chair was sustained. Yeas 57; nays 14.

Yeas—Messrs. Allen, Allison, Austin, Banks, Bass, Benbow, Boon, Bradford, Brown, Carlisle, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Freeman, Goldsby, Hall, Henderson, Hendree, Holley, F. S. Jackson, J. W. W. Jackson, Jones, Lea, Liddell, Majors, Manasco, McAllister, McCaskill, McCollum, McMullen, Nicks, Pool, Reaves, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Stephens, Sterrett, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Whitsitt and Wilson.

Nays—Messrs. Adams, Benham, Bussey, Campbell, Gladney, Glover, Gonder, Hopkins, Howard, M. A. King, Robinson, Webb, G. W. Williams and P. Williams.

The question was then put on the call of Mr. Glover for the previous question, and the call was sustained. Yeas 43; nays 35.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Banks, Bass, Benham, Bradford, Bussey, Campbell, Coleman, Critcher, Freeman, Glover, Goldsby, Gonder, W. C. Graham, Hall, Henshaw, Hopkins, Howard, F. S. Jackson, Jones, M. A. King, Lea, Phillips, Pool, Reaves, Robinson, Roper, Shorter, J. Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Walton, Webb, Whitsitt, G. W. Williams, P. Williams, S. Williams and Williamson.

Nays—Messrs. Adams, Allison, Austin, Benbow, Boon, Brown, Bulger, Cooper, Cox, J. W. Davis, Nathaniel Davis, Nicholas Davis, Earnest, N. S. Graham, Henderson, Hendree, Holley, J. W. Jackson, Liddell, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Rowe, Shelley, W. M. Smith, tephens, Snowden, Warren, Watkins and Wilson.

The constitutional rule being suspended, the bill was then read the third time forthwith. Mr. W. M. Smith demanded the yeas and nays on the passage, and the bill passed. Yeas 50; nays 28.

Yeas—Messrs. Speaker, Allen, Allison, Banks, Bass, Benbow, Benham, Boon, Bradford, Bussey, Campbell, Carlisle, Coleman, Critcher, Nicholas Davis, Earnest, Freeman, Gladney, Glover, Goldsby, W. C. Graham, Hendree, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Lea, McAllister, McCaskill, Phillips, Pool, Reaves, Robinson, Roper, Rowe, Shorter, Stephens, Sterrett, Stone, Tarrant, Walker, Wallace, Walton, Webb, Whitsitt, G. W. Williams, P. Williams and S. Williams.

Nays—Messrs. Adams, Austin, Brown, Bulger, Cooper, Cox, J. W. Davis, Nathaniel Davis, Gonder, N. S. Graham, Hall, Henderson, Holley, F. S. Jackson, Liddell, Majors, Manasco, Moragne, McCollum, McMullen, Nicks, Shelley, John Smith, W. M. Smith, Snowden, Warren, Watkins, Williamson and Wilson.

Mr. Campbell moved to reconsider the vote just taken.

Mr. Shelley demanded the yeas and nays and the motion was lost. Yeas 15; nays 57.

Yeas—Messrs. Adams, Brown, Cox, J. W. Davis, Henderson, F. S. Jackson, Liddell, McCollum, McMullen, Nicks, Shelley, J. Smith, Wesley M. Smith, Watkins and Webb.

Nays—Messrs. Speaker, Allen, Allison, Austin, Banks, Bass, Benbow, Benham, Boon, Bradford, Bussey, Campbell, Carlisle, Coleman, Critcher, Nathaniel Davis, Nicholas Davis, Freeman, Gladney, Glover, Goldsby, Gonder, N. S. Graham, W. C. Graham, Hall, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Lea, Majors, Manasco, McAllister, McCaskill, Phillips, Pool, Robinson, Roper, Rowe, Shorter, Stephens, Sterrett, Snowden, Stone, Tarrant, Watkins, Wallace, Walton, Warren, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

Mr. Phillips, from the committee on internal improvements, reported back the following bills without amendment.

To incorporate the Memphis, Alabama, Plank Road Company

To incorporate the Gainsville and Mississippi Rail Road Company:

Granting the right of way to the Winchester and Alabama Rail Road Company, (amended by striking out the sixth section, which was carried):

To incorporate the Alabama and Noxubee, Miss., Rail Road Company: and the Senate bills

To incorporate the Florence and Nashville Rail Road Company; and the constitutional rule being suspended said bills were severally read the third time forthwith and passed.

Mr. Phillips, from the same committee, reported back the joint memorial to the Congress of the United States upon the subject of public lands and rail and plank roads, without amendment, and the memorial was adopted.

Mr. Phillips, from the same committee, reported favorably upon the petition for a charter of a plank road, commencing at Lochapoga, in Macon county, and the report was concurred in.

Mr. Phillips, from the same committee, reported back the bill to authorise county subscriptions for purposes of internal improvement, without amendment.

Mr. Hall moved to amend by exempting Autauga.

Mr. Adams moved to lay the bill on the table.

Mr. Walker moved to postpone, and make it the special order for the House at 11 o'clock on Thursday next.

Mr. Wilson moved to postpone to the 9th of February, and demanded the yeas and nays thereon.

Pending which the hour of 5 p. m. having arrived the House adjourned.

WEDNESDAY, January 28, 1852

The House met pursuant to adjournment.

Mr. Austin obtained leave to change his vote on the passage of the bill adopting the code.

Messrs. Cooper, Walton and Presley obtained leave to record their votes in favor of the joint resolution from the Senate in relation to slavery and the compromise measures.

Messrs. Howard, Adams, Jones and McAllister obtained leave to record their votes against the passage of the bill adopting the code, and W. P. Davis in favor thereof.

On motion of Mr. Robinson the bill to appoint a superintendant of public schools was taken from the table and read the second time.

Mr. Stephens moved the indefinite postponement of said bill.

Mr. M. A. King moved to lay the bill on the table.

Mr. Shelley demanded the yeas and nays, and the motion was lost. Yeas 28; nays 48

Those who voted in the affirmative are, Messrs. Adams, Allen, Allison, Austin, Boon, Coleman. Critcher, J. W. Davis, Nath. Davis, Gonder, J. W. W. Jackson, Jones, M. A. King. Manasco, McCollum, Pool, Prentice, Presley, Reaves, Robinson, Rowe, Staton, Stephens, Snowden, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Banks, Bass, Benbow, Bennett, Bradford, Brown, Bussey, Caffey, Carlisle, Clements, Cooper, Cox, Nich. Davis, Gladney, Glover, N. S. Graham, W. C. Graham, Hall, Henshaw, Hopkins, Howard, Liddell, Majors, McAllister, Roper, Shelley, Shorter, John Smith, W M. Smith, Sterrett, Stone, Tarrant, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

Mr. Adams moved to strike out $3000 from the first section, and demanded the yeas and nays thereon, and motion was lost. Yeas 32; nays 47.

Those who voted in the affirmative are, Messrs. Adams, Allen, Allison, Austin, Benbow, Bennett, Boon, Brown, Carlisle, Coleman, Critcher, J. W. Davis, Nathaniel Davis, Hopkins, J. W. W. Jackson, M. A. King, Lea, Majors, Moragne, Manasco, McCollum, McMullen, Pool, Prentice, Presley, Roper, Rowe, Staton, Stephens, Snowden, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Banks, Bass, Benham, Bradford, Bussey, Caffey, Clements, Cooper, Cox, Nich. Davis, W. P. Davis, Freeman, Gladney, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Holley, Howard, Jones, Liddell, McAllister, McCaskill, Oates, Pettey, Phillips, Reaves, Robinson, Shelley, Shorter, John Smith, W. M. Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S Williams and Woolsey.

Mr. Stephens moved to amend as follows:

Provided. An additional tax of five cents shall be assessed and collected on every slave between the ages of fifteen and thirty to carry out the provisions of this act: *Provided further,* That should a surplus accrue from said assessment and collection, said surplus is hereby set apart as a sinking fund, to be appropriated to make up the deficit of valuless sixteenth sections.

Mr. Sterrett moved to lay said amendment on the table.

Mr. Presley demanded the yeas and nays, and the motion prevailed. Yeas 60; nays 22.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Banks, Bass, Benbow, Benham, Bradford, Bulger, Bussey, Campbell, Carlisle, Clements, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, Freeman, Gladney, Goldsby, N. S. Graham, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Jones, M. A. King, Moragne, McAllister, McCaskill, McMullen, Oates, Pettey, Phillips, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staton, Sterrett, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Austin, Bennett, Boon, Brown, Coleman, Cooper, W. P. Davis, Gonder, Hall, J. W. W. Jackson, Liddell, Majors, Manasco, McCollum, Nicks, Pool, Presley, Stephens, Snowdon and Wilson.

Mr. Nathaniel Davis moved to strike out the sixth section, and the motion prevailed.

Mr. Shorter moved the previous question, and the call was sustained.

Mr. Allison demanded the yeas and nays, on ordering said bill to a third reading, and the bill was so ordered. Yeas 54, nays 30.

Those who voted in the affirmative are, Messrs Speaker, Banks, Bass, Benbow, Benham, Bennett, Bradford, Bussey, Caffey, Clements, Cooper, Cox, Nicholas Davis, W. P. Davis, Earnest, Gladney, Glover, Goldsby, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Holly, Howard, Jones, Liddell, Majors, McAllister, McCaskill, Nicks, Oates, Petty, Phillips, Prentice, Reaves, Robinson, Shelley, Shorter, John Smith, Sterritt, Stone, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Woolsey.

Nays—Messrs. Adams, Allen, Austin, Boon, Brown, Bulger, Campbell, Carlisle, Coleman, Critcher, J. W. Davis, Nathaniel Davis, Gonder, Hopkins, J. W. W. Jackson, M. A. King, Manasco, McCollum, McMullen, Pool, Presley, Roper, Rowe, Staton, Stephens Snowdon, Williamson and Wilson.

The House then proceeded to the consideration of the special order, it being the congressional apportionment bill.

Mr. Shorter moved to take up the Senate bill on the same subject. Said motion prevailed, and the bill was taken from the messages and read.

Mr. Shorter moved to suspend the constitutional rule, to give said bill a second reading forthwith, and the motion was lost, and on motion of Mr. Shorter, the vote taking up said bill was reconsidered.

Mr. Webb moved to lay the bill of the majority on the table, with a view of taking up the bill reported by the minority, and demanded the yeas and nays thereon, and the motion was lost.—Yeas 39, nays 41.

Yeas—Messrs. Adams, Allison, Banks, Bass, Benbow, Brown, Bussey, Caffey, Cooper, W. P. Davis, Earnest, Freeman, Gladney, Glover, Gonder, Hall, Holly, Hopkins, Howard, Jones, M. A. King, Liddell, Phillips, Reaves, Robinson, Shelley, John Smith, Sterritt, Snowdon, Walker, Wallace, Walton, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Nays—Messrs. Speaker, Allen, Austin, Benham, Bennett, Boon, Bradford, Bulger, Campbell, Carlisle, Clements, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, N. S. Graham, W. C. Graham, J. W. W. Jackson, Majors, Manasco, McAllister, McCollum, McMullen, Nicks, Oates, Pettey, Pool, Prentice, Roper, Rowe, Shorter, W. M. Smith, Staton, Stephens, Stone, Tarrant, Warren, Watkins and Wilson.

Mr. M. A. King moved the indefinite postponement of said bill.

Pending which, the hour of 1 P. M. having arrived, the House adjourned.

Afternoon Session, January 28, 1852.

The House met pursuant to adjournment.

On motion of

Mr. Woolsey, the bill from the Senate explanatory of the act to dispose of the unappropriated portion of the two per cent. fund, was taken from the messages and read, and the constitutional rule being suspended, was read the second time forthwith and referred to the committee on Internal Improvements.

On motion of

Mr. Wallace, the bill to amend an act approved 5th February, 1850, entitled an act to incorporate the Montgomery and Tuskaloosa Plankroad Company, was taken from the special orders.

Mr. Jones moved to refer said bill to the committee on Internal Improvements, and demanded the yeas and nays thereon, and the motion was lost. Yeas 31, nays 41.

Yeas—Messrs. Austin, Bulger, Campbell, Coleman, Cox, Nathaniel Davis, Nicholas Davis, Goldsby, Gonder, Graham, Hopkins, Jones, Lea, Majors, Manasco, McAllister, McCaskill, McMullen, Oates, Pool, Prentice, Robinson, Roper, John Smith, W. M. Smith, Staton, Stephens, Sterritt, Williamson and Wilson.

Nays—Messrs. Adams, Allen, Allison, Banks, Benbow, Boon, Brown, Bussey, Caffey, Carlisle, Clements, Cooper, J. W. Davis, Earnest, Gladney, Glover, Hall, Holly, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, McCollum, Nicks, Pettey, Phillips, Reaves, Shorter, Snowdon, Stone, Tarrant, Walker, Wallace. Walton, Warren, Watkins, Webb, Whitsitt, P. Williams S. Williams.

Mr. Wilson moved to amend by striking out the sixth section, and demanded the yeas and nays thereon, and the motion was lost. Yeas 32, nays 44.

Yeas—Messrs. Speaker, Austin, Boon, Bulger, Campbell, Cox, Critcher, Nathaniel Davis, Nicholas Davis, W. C. Graham, Hopkins, Jones, Lea, Majors, McAllister, McCaskill, McMullen, Oates, Pettey, Pool, Prentice, Reaves, Robinson, Roper, John Smith, W. M. Smith, Stephens, Sterritt, Walton, Watkins, P. Williams and Wilson.

Nays—Messrs. Adams, Allen, Allison, Banks, Benbow, Benham, Brown, Bussey, Caffey, Carlisle, Clements, Coleman, Cooper, J. W. Davis, Earnest, Gladney, Glover, Gonder, N. S. Graham, Hall, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, Manasco, McCollum, Nicks, Phillips, Rowe, Shelley, Shorter, Staton, Snowdon, Stone, Tarrant, Wallace, Warren, Webb, Whitsitt, S. Williams, and Williamson.

Mr. N. S. Graham moved to amend the 5th section as follows, which was adopted:

After the word "uniform," in the 5th section, add "on all waggons, and other vehicles of the same number of wheels and horses, except pleasure carriages."

Also insert after the word "road" in the same section the following: Provided always that no person or company shall have any preference or exclusive privilege on said road.

Mr. Webb moved to suspend the rule requiring the House to adjourn at 5 o'clock, and the motion prevailed.

Mr. Webb also moved to suspend the rule requiring the House to meet at 7.

Mr. Price Williams demanded the yeas and nays, and the motion prevailed. Yeas 42; nays 28.

YEAS—Messrs. Adams, Allison, Banks, Benham, Bussey, Caffey, Carlisle, Coleman, Cooper, Cox, Nathan'l Davis, Nich. Davis, Earnest, Gladney, Glover, N. S. Graham, Holley, F. S. Jackson, J. W. W. Jackson, Liddell, Majors, Manasco, McCaskill, McCollum, McMullen, Nicks, Oates, Phillips, Pool, Reaves, Robinson, Shelley, W. M. Smith, Staton, Snowdon, Stone, Walker, Walton, Warren, Webb, S. Williams, and Williamson.

NAYS—Messrs. Speaker, Austin, Benbow, Boon, Brown, Bulger, Campbell, Clements, J. W. Davis, Goldsby, Gonder, Hall, Hopkins, Howard, Jones, M. A. King, Pettey, Prentice, Roper, Rowe, Shorter, Stephens, Tarrant, Watkins, Whitsitt, Price Williams, and Wilson.

The question recurred on the amendment offered by Mr. Nathaniel Davis.

Mr. Nathaniel Davis demanded the yeas and nays thereon, and the motion was lost. Yeas 26; nays 33.

YEAS—Messrs. Speaker, Allen, Austin, Boon, Campbell, Cox, J. W. Davis, Nathaniel Davis, Hopkins, Jones, Lea, McCaskill, McMullin, Oates, Pettey, Phillips, Pool, Prentice, Robinson, W. M. Smith, Stephens, Watson, Watkins, Price, Williams, and Wilson.

NAYS—Messrs. Banks, Benbow, Benham, Bussey, Caffey, Clements, Coleman, Cooper, Earnest, Gladney, Glover, Gonder, Hall, Holley, Howard, F. S. Jackson, M. A. King, Liddell, Manasco, McCollum, Nicks, Rowe, Shorter, John Smith, Snowdon, Stone, Tarrant, Walker, Wallace, Webb, Whitsitt, Williamson.

Mr. Williamson moved to strike out $75 and insert $45.000.

Mr. W. M. Smith moved to postpone the consideration of said bill until the 9th of February, and demanded the yeas and nays thereon, and the motion was lost. Yeas 15; nays 47.

Yeas, Messrs. Speaker, Austin, Cox, Nath'l Davis, Nich. Davis, Jones, Lea, McCaskill, Oates, Pettey, Poole, W. M. Smith, Stephens, Watkins, Wilson.

NAYS—Messrs. Allen, Banks, Benbow, Benham, Boon, Bussey, Caffey, Campbell, Carlisle, Clements, Coleman, Cooper, J. W. Davis, Earnest, Freeman, Gladney, Glover, Gonder, N. S. Graham, Hall, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, Majors, Manasco, McMullen, Nicks, Phillips, Rowe, Shelley, Shorter, John Smith, Snowdon, Stone, Tarrant, Walker, Wallace, Walton, Warren, Webb, Whitsitt, P. Williams, Williamson.

The hour of 5 P. M. having arrived, the House adjourned.

THURSDAY, January 29, 1852.

The House met pursuant to adjournment.

Leave of absence was granted to Mr. Woolsey.

Bills were introduced by

Mr. Price, to authorise the Probate Court of Benton county to decree the sale of certain lands therein named.

Mr. Holley, to repeal the 10th section of the stray law in Clay's Digest, page 551.

Mr. N. S. Graham, to require additional duties of the clerks of Circuit Courts in this State, &c.

Mr. Bussey, in relation to the statute of limitations.

Mr. Earnest, to invest the Court of Probate of Jefferson county with certain powers therein named.

Mr. McCaskill, to emancipate a certain slave therein named.

Mr. Shelley, to provide for the compensation of sheriffs and clerks of circuit courts for ex officio services.

Which were severally read, and the constitutional rule being suspended, were read the second time, forthwith, and referred to the Committee on the Judiciary.

Bills were introduced by

Mr. Henshaw, to improve the navigation of the Alabama, Little Bigbee, and Warrior rivers:

Mr. Snowdon, to appropriate $20,000 of the three per cent. fund to the improvement of the Conecuh river,

Which were severally read, and the constitutional rule being suspended, were read the second time, forthwith, and referred to the Committee on Internal Improvement, to report on the first of said bills on Monday next.

Bills were introduced by

Mr. N. S. Graham, to amend the charter of the Central Plank Road Company:

Mr. Reaves, to incorporate the Alabama and Georgia Rail Road Company:

Which were severally read, and the constitutional rule being suspended, were read the second time, forthwith, and referred to the Committee on Corporations:

Bills were introduced by:

Mr. Snowdon, imposing certain restrictions on the county treasurer of Covington county:

Mr. Watkins, in relation to a certain turnpike road in Franklin county:

Mr. Watkins, to compensate the agent of the State of Alabama, to locate lands in lieu of 16th sections in the Chickasaw purchase.

Mr. Webb, to allow additional compensation to the sheriff of Greene county, for ex officio services:

Mr. Wilson, amendatory to the act of 1807 and 1843, in relation to the small pox and other contagious diseases.

Mr. Benham, to amend the road laws in Lauderdale county,

Mr. Nicholas Davis, to establish a Homoepathic Medical Society in the city of Montgomery:

Mr. Williamson, to define the corporate limits of the town of Hayneville, &c.:

Mr. Brown, to repeal an act therein named:

Mr. McCaskill, to increase the pay of jurors for the county of Monroe:

Mr. F. S. Jackson, to authorize Green W. Taylor to erect gates on a certain public road therein named:

Mr. Nicks, to incorporate the East Alabama Masonic Female Institute at Talladega.

Said bills were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

Mr. Bussey presented the account of Benjamin Day, which was referred to the committee on Accounts.

Mr. Coleman introduced a bill to authorize Dr. M. Randell, of the county of Fayette, to collect moneys due him for professional services, which was read, and the constitutional rule being suspended, was read the second time, forthwith, and ordered to be engrossed for a third reading.

Mr. Earnest introdcced a bill to provide for the purchase of one copy of Reavis' Digest, for each county in the State, which was read, and on motion of Mr. Stephens, was laid on the table.

Bills were introduced by:

Mr. Nicholas Davis, to appropriate the three per cent. fund:

Mr. Brown, supplemental to an act providing for keeping of the State House, approved 9th January, 1853.

Said bills were severally read and ordered to a second reading.

Bills were introduced by

Mr. F. S. Jackson, for the relief of the soldiers who served in the war with Mexico:

Mr. Lea, making appropriations for the years 1852 and '53:

Mr. Hopkins, to refund half the costs of the map of Choctaw county:

Which were severally read, and the constitutional rule being suspended, were read the second time forthwith, and referred to the committee on Ways and Means.

Mr. Lea introduced a bill to authorize the sale of the History of Alabama without license, which was read, and the constitutional rule being suspended, was read a second time forthwith.

Mr· Cooper moved to amend as follows:

Sec. 2. *And be it further enacted,* That it shall be lawful for any person, a citizen of this State, to peddle without license, any literary or religious works published south of Mason's and Dixon's line.

Said amendment was lost.

Mr. McMullen moved to lay the bill on the table, and his motion was lost.

The constitutional rule being further suspended, said bill was read a third time forthwith and passed.

Mr. Hopkins presented the account of John Powell, which was referred to the committee on Accounts.

The bill for the relief of William C. McIver, administrator, &c., was read the second time, and referred to the committee on the State Bank and Branches.

The House then resumed the consideration of the reports of the majority and minority of the committee of Ways and Means.

The question recurred upon the adoption of the report of the majority of the committee.

Mr. Manasco moved to postpone the whole subject until the 9th of February, and withdrew said motion.

And the hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, January 29, 1852.

The House met pursuant to adjournment, and resumed the consideration of the reports of the majority and minority of the committee of Ways and Means, on Mr. Bulger's resolution.

Mr. Manasco renewed his motion to postpone the whole subject until the 9th of February, and demanded the yeas and nays thereon, and the motion was lost. Yeas 28, nays 34.

Those who voted in the affirmative are, Messrs Adams, Allen, Austin, Boon, Brown, Bussey, Clements, Coleman, Critcher, Nathaniel Davis, Hall, J. W. W. Jackson, M. A. King, Majors, Manasco, McCaskill, McMullen, Oates, Phillips, Pool, Prentice, Robinson, Staton, Stephens, Stone, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison, Banks, Bass, Benbow, Bradford, Bulger, Carlisle, Cox, J. W. Davis, Glover, Goldsby, Hendree, Henshaw, Holly, Hopkins, F. S. Jackson, Porter King, Lea, Liddell, McCollum, Nicks, Presley, Pettey, Roper, John Smith, W. M. Smith, Sterritt, Snowdon, Tarrant, Wallace, Walton, Warren, Watkins, Webb.

The constitutional rule being then further suspended, the bill was read the third time forthwith.

Mr. Nicks demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 46; nays 16.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Austin, Banks, Benbow, Benham, Boon, Bradford, Brown, Bussey, Caffey, Campbell, Carlisle, Cooper, Nich. Davis, Earnest, Freeman, Glover, N. S. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Lea, Moragne, McCaskill, Oates, Phillips, Pool, Prentice, Price, Rowe, W. M. Smith, Stephens, Sterritt, Snowden, Stone, Tarrant, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, and Wilson.

Mr. Speaker laid before the House an invitation from the Grand Division of the Sons of Temperance to attend a mass meeting of said order at Concert Hall this evening at 7 o'clock.

On motion of Mr. Hall the invitation was accepted.

Mr. F. S. Jackson moved to lay both reports of the Committee of Ways and Means and the bill on the table, and to have one hundred and thirty-three copies of each of said reports printed, together with Mr Bulger's resolution, and the portion of the Governor's message referred to said committee.

Mr. Bulger called a division of the question, and demanded the yeas and nays on laying the report of the minority on the table, and the motion prevailed. Yeas 36; nays 30.

Those who voted in the affirmative are, Messrs Allison, Banks, Bass, Benbow, Bradford, Caffey, Carlisle, Cooper, Critcher, J. W. Davis, Nath. Davis. Glover, N. S. Graham, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Liddell, McCollum, Nicks, Pettey, Phillips, Presley, Roper, Shelley, John Smith, Sterett, Snowdon, Tarrant, Wallace. Walton, Warren, Watkins, Webb and Williamson

Those who voted in the negative are Messrs. Adams, Allen, Austin, Bennett, Boon, Brown, Bulger, Bussey, Coleman, Cox, Goldsby, Hall, J. W. W. Jackson, M. A. King, Majors, Manasco, McCaskill, McMullen, Oates, Pool, Prentice, Price, Shorter, W. M. Smith, Staton, Stephens. Stone, Whitsitt, P. Williams and Wilson.

Mr, Hall demanded the yeas and nays on laying the report of the majority on the table, and the motion prevailed. Yeas 39; nays 32.

Those who voted in the affirmative are, Messrs. Allison, Banks, Bass, Benbow, Renham, Bennett, Bradford, Caffey, Carlisle, Cooper, Critcher, J. W. Davis, Nich. Davis, Glover, Hendree, Henshaw, Holley, Hopkins. F. S. Jackson, M. A. King, Lea, Liddell, McCollum, Nicks, Pettey, Phillips, Presley, Roper, Shelley, John Smith, Sterett, Snowdon, Tarrant, Wallace, Walton, Warren, Watkins, Webb and Williamson.

Those who voted in the negative are, Messrs. Adams, Allen, Austin, Boon, Brown, Bulger, Bussey, Coleman, Cox, Nath. Davis, Goldsby, Hall, J. W. W. Jackson, P. King, Majors, Manasco, McCaskill, McMullen, Oates, Pool, Prentice, Price, Reaves, Rowe, Shorter, W. M. Smith, Staton. Stephens, Stone, Whitsitt, P. Williams and Wilson

Mr. Lea, from the Committee of Ways and Means, reported a substitute for the bill to add a clerkship to the Comptroller's office.

Mr. Manasco moved to lay the substitute on the table, which motion was lost and the substitute was adopted.

Mr. Stephens moved the indefinite postponement of said bill, and demanded the yeas and nays thereon, and the motion was lost. Yeas 20; nays 52.

Those who voted in the affirmative are, Messrs. Austin, Benbow, Clements, Coleman, Cox, Critcher, Holley, M. A. King, Manasco, McCollum, McMullen, Nicks, John Smith, W. M. Smith, Staton, Stephens, Snowdon, Warren, Williamson and Wilson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Allison, Banks, Bass, Benham, Boon, Bradford, Brown, Bulger, Bussey, Caffey, Campbell, Carlisle, Cooper, J. W. Davis, Nich. Davis, Earnest, Freeman, Goldsby, N S. Graham, W. C. Graham, Hall, Hendree, Hopkins, F. S. Jackson, P. King, Lea, Liddell, Majors, Moragne, McCaskill, Oates, Phillips, Pool, Prentice, Presley, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, Sterrett, Stone, Wallace, Watkins, Webb, Whitsitt and P. Williams.

Mr. Manasco demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 52; nays 22.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Banks, Benham, Bradford, Bulger, Bussey, Caffey, Campbell, Carlisle, Clements, Cooper, J. W. Davis, Nath. Davis, Nich. Davis, Earnest, Goldsby, N. S. Graham, W. C. Graham, Hall, Hendree, Hopkins, F. S. Jackson, M. A. King, P. King, Lea, Liddell, Majors, Moragne, McCaskill, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Staton, Sterrett, Stone, Tarrant, Wallace, Watkins, Webb, Whitsitt and P. Williams.

Those who voted in the negative are, Messrs. Austin, Benbow, Boon, Brown, Coleman, Cox, Critcher, Freeman, Holley, Manasco, McCollum, McMullen, Nicks, Shelley, Jno. Smith, W. M. Smith, Staton, Stephens, Snowdon, Warren, Williamson and Wilson.

Mr. Lea, from the Committee on Ways and Means, reported adversely to the probate fee bill, which was concurred in.

Mr. Lea, from the same committee, reported adversely to the petition of John W. Foster, and the report was concurred in.

Mr. Price Williams, from the same committee, reported a substitute for the bill for the relief of James Donley, which was adopted, and the constitutional rule being suspended, the bill was read the third time and passed.

Mr. P. Williams, from the same committee, reported a bill conferring additional powers on the intendant and council of the town of Jacksonville, in Benton county, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Allen moved to amend by striking out of the third section so much as relates to the imprisonment of retailers, which was adopted.

Mr. Bennett moved to strike out all that relates to the sale of ardent spirits, which was lost.

The constitutional rule being then further suspended, the bill was read the third time forthwith

Mr. Nicks demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 46; nays 16.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Austin, Banks, Benbow, Benham, Boon, Bradford, Brown, Bussey, Caffey, Campbell, Carlisle, Cooper, Nich. Davis, Earnest, Freeman, Glover, N. S. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Lea, Moragne, McCaskill, Oates, Phillips, Pool, Prentice, Price, Rowe, W. M. Smith, Stephens, Sterritt, Snowden, Stone, Tarrant, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, and Wilson.

Those voting in the negative are, Messrs. Adams, Bennett, Cox, Critcher, J. W. Davis, Nath'l Davis, Goldsby, F. S. Jackson, M. A. King, Majors, McCollum, McMullen, Nicks, Pettey, Staten, and Watson.

Mr. Hall, from the same committee, reported adversely to the resolution of inquiry into the expediency of limiting the sessions of the Legislature, and the report was concurred in.

The hour of 5 P. M. having arrived, the House adjourned.

FRIDAY, January 30, 1852.

The House met pursuant to adjournment.

Mr. Turner obtained leave to record his vote in favor of the passage of the Code.

Leave of absence was granted to Mr. Henderson.

Mr. Glover moved to suspend the call of the counties, to receive reports from standing committees; and the motion prevailed.

Mr. Austin moved to reconsider the vote by which the House on yesterday passed the bill to confer additional powers on the intendant and council of Jacksonville, Benton county. Mr. Cooper presented the account of Jas. J. Adams,

Mr. J. W. Davis the account of Pinkney Woolley, and

Mr. F. S. Jackson, the account of John Powell,

Which were severally referred to the Committee on Accounts.

On motion of Mr. Nath'l Davis, the Senate bill, to continue the office of commissioner and trustee to settle the affairs of the State Bank and branches, and for other purposes, was taken from the messages and read, and the constitutional rule being suspended, was read the second time, forthwith.

Mr. Nathaniel Davis moved to amend, as follows, which was adopted: After "two years," in the first section, add "until his successor shall be qualified."

Mr. Nathaniel Davis also moved the following amendment, which was adopted:

8th section, 4th line, after "State" add "bank" and "branches." At the end of said section add "provided, however, that such trustee may use his discretion in the sale of the banking house.

Mr. Manasco moved to amend as follows: "provided the salary of the said bank commissioner shall not exceed twenty-five hundred dollars."

Mr. Webb moved to lay said amendment on the table, and Mr. Manasco demanded the yeas and nays thereon, and the motion prevailed. Yeas 55; nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Austin. Banks, Bass, Benbow, Benham, Bradford, Bussey, Caffey, Campbell, Clements, Cooper, J. W. Davis, Nathaniel Davis, Nich. Davis, W. P. Davis, Glover, N. S. Graham, Henshaw, Holley, Howard, F. S. Jackson, Jones, M. A. King, Lea, Liddell, Moragne, McCaskill, Nicks, Pettey, Poole. Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, W. M. Smith, Sterritt, Snowdon, Stone, Tarrant, Turner, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, and Williamson—55.

Those who voted in the negative are, Messrs. Adams, Allen, Boon, Booth, Brown, Coleman. Critcher. W. C. Graham, Hall, Kavanaugh, Majors, Manasco, McCollum, McMullen, Oates, John Smith, Staton, Warren, and Wilson—20.

The constitutional rule being then further suspended, the bill was read the third time, forthwith.

Mr. Critcher demanded the yeas and nays on the passage thereof, and the bill passed, Yeas 72; nays 7.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Austin, Bass, Benbow, Benham, Bennett, Boon, Booth, Bradford, Brown, Bulger, Bussey, Caffey, Campbell, Carlisle, Clements, Cooper, Cox, Critcher, J. W. Davis, Nath'l Davis, Nich. Davis, W. P. Davis, Earnest, Gladney, Glover, N. S. Graham, W. C. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Jones, Kavenaugh, M. A. King, P. King, Lea, Liddell, Moragne, McCaskill, McMullen, Nicks, Pettey, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Sterritt, Snowdon, Stone, Tarrant, Turner, Walker, Wallace, Watkins, Walton, Webb, Whitsitt, P. Williams, and Wilson. —72,

Those who voted in the negative are, Messrs. Adams, Coleman, Majors, Manasco, McCollum, Staton, and Warren.

The engrossed bill, to appoint a superintendent of public schools, and for other purposes, was read the third time.

Mr. W. M. Smith moved to amend by engrossed rider, as follows: provided that said superintendant shall be a native of the Southern States.

Mr. Liddell moved to lay said amendment on the table.

Mr. Price Williams demanded the yeas and nays, and the motion prevailed. Yeas 42; nays 39.

Those who voted in the affirmative are, Messrs. Adams, Allison, Austin, Banks, Bass, Benbow, Booth, Bradford, Brown, Caffey, Carlisle, Clements, Nich. Davis, W. P. Davis, Earnest, Gladney, Glover, Hendree, Henshaw, Holley, F. S. Jackson, Jones, M. A. King, Lea, Liddell, Moragne, McCaskill, Nicks, Oates, Pettey, Presley, Robinson, Shelley, John Smith, Staton, Sterritt, Snowdon, Stone, Tarrant, Wallace, Webb, P. Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Bennett, Brown, Bulger, Campbell, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nath. Davis, N. S. Graham, W. C. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, P. King, Majors, Manasco, McCollum, McMullen, Pool, Prentice, Price, Reaves, Roper, Rowe, W. M. Smith, Turner, Walker, Walton, Warren, Watkins, Whitsitt, Williamson and Wilson.

Mr. McCollum moved to amend by engrossed rider, as follows:

Provided, The said superintendent shall be a citizen of this State, and no abolitionist.

Mr. Bradford called the previous question, and the call was sustained

Mr. Stanton demanded the yeas and nays on the passage thereof, and the bill was passed. Yeas 47; nays 35

Those who voted in the affirmative are, Messrs. Speaker, Banks, Bass, Benbow, Benham, Bennett, Booth, Bradford, Bussey, Caffey, Clements, Cooper, Cox, Nich. Davis, W. P. Davis, Earnest, Glover, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Howard, Jones, P. King, Liddell, Moragne, McCaskill, Nicks, Oates, Pettey, Phillips, Prentice, Robinson, Roper, Shelley, Shorter, John Smith, Sterrett, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb and P. Williams.

Those who voted in the negative are, Messrs. Adams, Allen, Allison, Austin, Boon, Brown, Bulger, Campbell, Coleman, Critcher, J. W. Davis, Nath. Davis, Gonder, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, M. A. King, Lea, Majors, Manasco, McCollum, McMullen, Pool, Presley, Price, Reaves, Rowe, W. M. Smith, Staton, Snowden, Turner, Whitsitt, Williamson and Wilson.

The following rule, heretofore offered by Mr. P. Williams, was adopted:

That the orders of the day, general as well as special, shall be taken up after the passage of this rule, at the night sessions of this session of the Legislature.

Mr. Gladney, from the Committee on Ways and Means, reported adversely to the bill to repeal a portion of an act therein named, and for other purposes.

Mr. McMullen moved to lay the report on the table, which was lost, and the report was confirmed.

Mr. Gladney, from the same committee, reported adversely to the bill to repeal in part an act therein named, and for other purposes.

Mr. Shelley moved to lay the report on the table, which was lost, and the report was concurred in.

Mr. Gladney, from the same committee, reported back the bill to prevent the sale of spirituous liquors to free persons of color.

Mr. McMullen moved to lay the report on the table, and the motion was lost.

Mr. Snowden moved to amend as follows:

Provided, That the provisions of this act shall not apply to the counties of Covington and Fayette.

Said motion was lost.

Mr. McMullen moved to amend by striking out persons of color and inserting negroes.

Mr. W. P. Davis called the previous question.

Mr. Snowden moved to lay the bill on the table, and demanded the yeas and nays thereon, and the motion was lost. Yeas 26; nays 43.

Those who voted in the affirmative are, Messrs. Benbow, Bennett, Brown, Caffey, Coleman, Cox, J. W. Davis, Nath. Davis, Henshaw, Holley, Jones, Manasco, McCollum, McMullen, Nicks, Pettey, Phillips, Reaves, Rowe, Sterritt, Snowden, Turner, Wallace and Williamson.

Those who voted in the negative are, Messrs. Adams, Allen, Allison, Austin, Banks, Bass, Benbow, Booth, Boon, Campbell, Carlisle, Clements, Cooper, Critcher, W. P. Davis, Earnest, Glover, Hopkins, Howard, J. W. W. Jackson, M. A. King, P. King, Lea, Liddell, Majors, Moragne, McCaskill, Oates, Pool, Presley, Price, Roper, Shorter, Shelley, W. M. Smith, Staton, Stone, Tarrant, Warren, Webb, Whitsitt, P. Williams and Wilson.

Mr. F. S. Jackson moved to refer said bill to the Committee on the Judiciary, and the motion was lost.

Mr. W. P. Davis called the previous question.

Mr. Snowden demanded the yeas and nays, and the motion was sustained. Yeas 41; nays 28.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Banks, Benham, Bennett, Boon, Booth, Bussey, Caffey, Campbell, Carlisle, Clements, Critcher, W. P. Davis, Earnest, Glover, Hopkins, Howard, J. W. W. Jackson, M. A. King, Lea, Majors, Moragne, Pettey, Pool, Prentice, Presley, Price, Roper, Shorter, W. M. Smith, Staton, Tarrant, Wallace, Walton, Webb, Whitsitt, P. Williams and Williamson.

Those who voted in the negative are, Messrs. Allison, Brown, Bulger, Coleman, Cooper, Cox, J. W. Davis, Nath. Davis, Henshaw, Holley, F. S. Jackson, Jones, Liddell, Manasco, McCollum, McMullen. Oates, Phillips, Reaves, Rowe, Shelley, John Smith, Sterritt, Snowden, Turner, Walker, Watkins and Williamson.

Mr. McMullen demanded the yeas and nays on ordering said bill to be engrossed for a third reading, and the bill was so ordered. Yeas 44; nays 23.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Austin, Banks, Bass, Benham, Boon, Booth, Bussey, Campbell, Carlisle, Clements, Critcher, W. P. Davis, Earnest, Glover, Hendree, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, P. King. Lea, Moragne, Oates, Pettey, Pool, Prentice, Price, Roper, Shelley, Shorter, W. M. Smith, Staton, Stone, Tarrant, Walker, Wallace, Watkins, Webb and Whitsitt.

Those who voted in the negative are, Messrs. Bennett, Brown, Caffey, Coleman, Cox, J. W. Davis, Henshaw, Holley, F. S. Jackson, Jones, Liddell, Manasco, McCollum. McMullen, Nicks, Phillips, Reaves, Rowe, Sterritt, Snowdon, Turner, Williamson and Wilson.

Mr. Jones, from the Committee on Ways and Means, reported adversely to the bill to change the time of appointing assessors in several counties.

Mr. Hopkins, from the same committee, reported adversely to the petition of Jesse Locke, also to the bill to provide for the payment of a certain claim against the State, and

Mr. Carlisle, from the same committee, reported adversely to the bill to secure the rights of tax payers; said reports were severally concurred in.

Mr. Hopkins, from the same committee, reported adversely to the bill in relation to granting licenses to retail ardent spirits.

Mr. Tarrant moved to lay said report on the table.

Mr. Cox moved to lay the bill on the table.

Mr. Earnest called a division of the question.

Mr. McMullen demanded the yeas and nays on laying the report on the table, and the motion was lost. Yeas 12; nays 56.

Those who voted in the affirmatve are Messrs. Banks, Caffey, Campbell, Howard, J. W. W. Jackson, Oates, Price, Tarrant, Wallace, Whitsitt and P. Williams.

Those who voted in the negative are, Messrs. Speaker, Adams, Allison, Allen, Austin, Benham, Bennett, Boon, Brown, Bussey. Coleman, Cooper, Cox, Critcher, J. W. Davis, Nath. Davis, W. P. Davis, Glover, N. S. Graham, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, Jones, M. A. King, Lea, Liddell, Majors, Manasco, Moragne, McCaskill. McCollum, McMullen, Nicks, Pettey, Pool, Prentice, Reaves, Roper, Rowe, Staton, Shorter, Jno. Smith, W. M. Smith, Stephens, Sterritt, Snowdon, Turner, Walker, Watkins, Webb, Williamson and Wilson.

Mr. Nicks demanded the yeas and nays on concurring in the eport, and the report was concurred in. Yeas 50; nays 8.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Austin, Benham, Boon, Booth, Brown, Bussey, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Nath. Davis, W. P. Davis, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, Jones, M. A. King, Porter King, Lea. Liddell, Majors, Manasco, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Pool, Prentice, Presley, Price, Reaves, Roper, Rowe, Shelley, Shorter, Jno. Smith, W. M. Smith, Staton, Stephens, Sterrett. Snowdon, Turner, Walton, Wallace, Watkins, Webb, Whisitt, Williamson and Wilson.

Those who voted in the negative are, Messrs. Banks, Benbow, Bennett, Earnest, Howard, Tarrant, Wallace and P. Williams.

Mr. Carlisle, from the same committee, reported back the bill to require clerks of circuit and chancery courts and judges of probate to keep reverse indexes and for other purposes, without amendment.

Mr. Nath. Davis moved to strike out the first and second sections, which was lost, and the bill was ordered to be engrossed for a third reading.

Mr. Watkins, on the Committee of Privileges and Elections, reported a bill to abolish and establish certain election precincts therein named, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr Nath. Davis moved to amend by striking out so much as abolishes the precinct at Adams' and establishes one at Blains, in Limestone county, said amendment was adopted, and on motion of Mr.   was reconsidered and lost.

Mr. Lea, from the Committee of Ways and Means, made th following report:

The Committee of Ways and Means to whom was referred the petition of numerous citizens of Vienna and vicinity, in Madison county, against the law licencing ten-pin alleys, have had the same under respectful consideration, and feel bound t say they are struck with the force and pointedness of the language and argument used by the petitioners against the vices originating from such places of public amusement. The committee would rejoice in being able to contribute to the happiness of the petitioners by recommending and pressing any legislative measure which would be consistent and wise. But woul it be wise to pass an act in literal conformity with that part o the petitioners prayer which asks that the law licencing suc things should be repealed? In that event all restraint would b removed from such indulgence, and instead of one, Vienna migh be afflicted with as many such places as could find customers t support them, and in like manner all parts of the State. W must not indulge the belief that morals can be forced in trut and purity on our community by legislation entirely.

There may be policy in the paths of peace as there are said to be in war. In a republican government we may encourage, we may in many instances, protect morality, and even religion, by legislation; another power and other instruments are necessary to implant and render them lovely.

Such pastimes are harmless in themselves, and mental as well as mascular strength might be improved by them if they were used and resorted to by ingenious youth, or even old men, for such porposes only; as it is, the committee deem it right that the Legislature, believing their powers as well as duties in mind, should strike at excesses only. If anything there or elsewhere occur that comes within the deffinition of a misdemeanor or crime, ample provision is already made by law. But the committee fear that at that or some other points in the State ex-

Mr. Reaves, from the same committee, reported adversely to the petition of Corder & Reynolds.

Mr. McCollum moved to lay the report on the table.

Mr. Phillips demanded the yeas and nays thereon, and the motion was lost. Yeas 29; nays 37.

Those who voted in the affirmative are, Messrs. Banks, Benham, Bennett, Bradford, Brown, Bulger, Coleman, Cox, Nath. Davis, W. P. Davis, W. C. Graham, Hopkins, Jones, Kavanaugh, M. A. King, Lea, Majors, McCollum, McMullen, Nicks, Oates, Prentice, Snowden, Stone, Tarrant, Turner, Wallace, Watkins and Williamson.

Those who voted in the negative are, Messrs. Adams, Allen, Allison, Booth, Caffey, Carlisle, Cooper, J. W. Davis, Earnest, Glover, Goldsby, N. S Graham, Hall, Henshaw, Howard, F. S. Jackson, J. W. W. Jackson, Liddell, Manasco, Moragne, McCaskill, Pettey, Phillips, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Sterritt, Walker, Walton, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. Sterritt, from the same committee, reported back the bill providing for the removal of the county site of the county of De Kalb, without amendment, which, on motion of Mr. Nath. Davis was postponed. and made the special order for Tuesday next at 11 o'clock.

Mr. Whitsitt, from the Committee on Agriculture, reported a bill to make the Governor of the State of Alabama *ex officio* president of the State Agricultural Society, &c., which was read, and the constitutional rule being suspended, was read the second time forthwith, and ordered to be engrossed for a third reading.

Mr. Whitsitt demanded the yeas and nays thereon. Yeas 35; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Austin, Banks, Booth, Bussey, Campbell, Carlisle, J. W. Davis, Nath. Davis, Earnest, Gladney, Goldsby, Gonder, Hendree, Henshaw, Hopkins, Jones, M. A. King, Lea, Liddell, Nicks, Phillips, Price, Shelley, Shorter, Sterritt, Turner, Wallace, Walton, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Allen, Adams, Benbow, Bennett, Boon, Brown, Bulger, Caffey, Cox, Critcher, Nich. Davis, N. S. Graham, W. C. Graham, Hall, Holley, Howard, F. S. Jackson, J. W. W. Jackson, P. King, Majors, Manasco, Moragne, McCollum, McMullen, Pettey, Pool, Reaves, Rowe, W. M. Smith, Stephens, Snowden, Tarrant, Watkins and Wilson.

Mr Rowe, from the Committee on County Boundaries, reported back the bill to change the boundary line between the counties of Monroe and Conecuh, without amendment, and the bill was ordered to be engrossed for a third reading.

cesses or abuses may so accumulate that the very place or instrument of indulgence may amount to a nusance (and that the license which also brings a revenue to the State) may not operate as a sufficient restraint, and preferring rather to have every doubtful power as far as practicable and consistant with the people, they propose the accompanying bill, and recommend its passage. HENRY C. LEA, Chairman.

The bill reported by said Committee was read, and ordered to a second reading.

AFTERNOON SESSION, January 30, 1852.

The House met pursuant to adjournment.

The bill to establish and abolish certain election precincts, was, under a suspension of the constitutional rule, read the third time and passed.

Mr. Glover, from the Committee on Propositions and Grievances, reported back the bill in relation to the town of Clayton, in Barbour county, without amendment, and also the bill to compensate John D. Holley, with an amendment, which was concurred in, and said bills were severally read the third time and passed.

Mr. Glover, from the same committee, reported adversely to the bill for the relief of Alexander Rodgers. The House refused concurrence in said report, and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

Mr. Glover, from the same committee, reported adversely to the account of Wm. C. Oliver, and on motion of Mr. Webb the report was laid on the table.

Mr. Glover, from the same committee, reported adversely to the petition of J. S. Hunt, which was concurred in.

Mr Glover, from the same committee, reported adversely to the petition of John Patterson, and on motion of Mr. McMullen, the report was laid on the table, and the petition withdrawn by him.

Mr. Glover, from the same Committee, reported aversely to the petition of Nath. Bradford, which, on motion of Mr. Henshaw, was laid on the table, and the petition withdrawn by him.

Mr. Glover. from the same committee, reported adversely to the bill to regulate camp hunting in the county of Clarke.

Mr. Henshaw moved to lay said report on the table, which was lost, and the report was concurred in.

Mr. Glover, from the same committee, reported adversely to the petition of Stephen Lea.

Mr. John Smith moved to lay the report on the table, which was lost, and the report was concurred in.

Mr. Glover, from the same Committee, reported adversely to the petition from Coffee county, which was concurred in.

Mr. Bulger, from the Committee on the Military, reported back the bill to establish a new company beat in Marshall county, with an amendment which was concurred in, and the bill was read the third time and passed.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported back the bill to amend the road law in Dale county, without amendment, and the constitutional rule being suspended, the bill was read a third time forthwith and passed.

Mr. M. A. King, from the Committee on Corporations, reported back the following bills without amendment:

To incorporate the North Alabama College:

To establish a Medical Board in Tuskegee, in Macon county:

To incorporate the Grafenberg Institute of Alabama:

To amend the charter of the Central Plank Road Company:

To incorporate the Salem Male and Female Academy, in Jefferson county :

To incorporate the Hebrew Benevolent Society of Montgomery:

To extend the authority of the intendant and council of the town of Lexington ; and

To amend an act to incorporate the town of Huntsville, (amended on motion of Mr. Nath. Davis by striking out the second section.)

Said bills were severally read the third time and passed.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported a bill to repeal a certain law therein named, which was read and ordered to a second reading.

Mr. Warren, from the same committee, reported back the bill to exempt road workers from toll, without amendment, and the bill was ordered to be engrossed for a third reading.

Mr. Warren, from the same committee, reported a bill to authorise Joseph Chasen and his associates to build a toll bridge across Curtybouge creek, in Washington county ; and

Mr. Henshaw, from the Committee on Corporations, reported a bill to incorporate the Brooklyn Male and Female Acadamy, &c.

Said bills were severally read, and the constitutional rule being suspended were severally read a second and third time forthwith and passed.

Mr. Walton, from the same committee, reported back the bill to amend the charter of the Alabama and Tennessee River Rail Road Company, with amendments, and pending the question of ordering said bill to a third reading, the hour of 5 p. m. having arrived, the House adjourned.

NIGHT SESSION, January 30, 1852.

The House met pursuant to adjournment.

Mr. Critcher obtained leave to change his vote on the passage of the Code.

The bill to incorporate the Orrville Insiitute was read the second time.

Mr. Bussey moved to amend by proviso to the first section, which was adopted, and the constitutional rule being suspended, the bill was read the third time forthwith and passed

The House concurred in the amendments of the Senate to the following bills:

In relation to the estate of James M. Hardy, deceased:

To provide for the extension of the time of payment of certain notes due the State of Alabama by the late Berry Hudson of Franklin county:

To incorporate the Alabama Direct Trade and Exchange Company:

To prevent injury by burning the woods at improper seasons of the year:

To amend an act to incorporate the Southern Bank of Alabama.

The House receded from the second amendment to the bill to authorise the Governor to furnish arms to the Tuskegee Classical and Scientific Institute, in Macon county, and for other purposes.

The House, on motion of Mr. Nath. Davis, appointed a committee, consisting of Messrs. Nath. Davis, Campbell and Allison, to consult with a like committee to be appointed on part of the Senate, on the matters of disagreement on the bill to compensate the county treasurers of Limestone, Morgan and Chambers for receiving and paying out the sixteenth section fund.

The House adheres to its disagreement to the Senate amendment to the bill to establish jury trials in justices courts in the counties of Choctaw and Washington, and to regulate the proceedings thereof.

The House receded from its amendment to the Senate bill to incrporate the Rough and Ready Invincibles.

The House refused to concur in the Senate amendment to the bill to change the time of electing tax assessors and for other purposes.

Mr. Hall demanded the yeas and nays thereon. Yeas 34; nays 34

Those who voted in the affirmative are, Messrs. Adams, Austin, Benbow, Benham, Boon, Brown, Bulger, Caffey, Cox, Critcher, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, P. King, Majors, Manasco, Moragne, McCollunm, McMullen, Pettey, Reaves, Rowe, Shorter, W. M. Smith. Stephens, Snowdon, Tarrant, Walton, Wilson and Williamson

Those voting in the negative are, Messrs. Speaker, Allen, Banks, Bennett, Booth, Bradford Bussey, Campbell, Carlisle, J. W. Davis, Nath. Davis, Earnest, Goldsby, W. C. Graham, Hendree, Henshaw, Hopkins, Jones, Lea, Liddell, Nicks, Phillips, Pool, Price, Robinson, Shelley, Sterritt, Turner, Walker, Wallace, Webb, Whitsitt, P. Williams and S. Williams.

The House refused to concur in the amendments of the Senate to the bill to incorporate the Brownsville Academy.

The House amended the amendment of the Senate to the bill to provide for the compensation of constables and jurors in justices' courts, in Butler county, on motion of Mr. Turner, by adding Washington, and concurrsd in the amendment, as amended.

Mr. W. C. Graham moved to reconsider the vote by which the House refused to concur in the Senate amendment to the bill to change the time of electing tax assessors, and for other purposes.

Mr. Bradford moved to postpone said motion to the 9th of February.

Mr. Hall demanded the yeas and nays thereon, and the motion prevailed. Yeas 35; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Banks, Benbow, Benham, Booth, Bulgar, Clements, W. P. Davis, Earnest, Gladney, Goldsby, Gonder. N. S. Graham, Hall, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, P. King, Liddell, Moragne, McCaskill, Phillips, Shorter, Sterritt, Whitsitt, P. Williams, S. Williams, and Williamson.

Those who voted in the negative are, Messrs. Adams, Allen, Austin, Bennett, Brown, Boon, Caffey, Cooper, Cox, Critcher, J. W. Davis, Nath'l Davis, Nich. Davis, M. A. King, Lea, Majors, Manasco, McCollum, McMullen, Pool, Prentice, Price, Reaves, Roper, Rowe, W. M. Smith, Staton, Snowdon, Tarrant, Walker, Wallace, Walton, Webb, and Wilson.

The House concurred in the Senate amendment to the bills;

For the relief of John Schirm, and

To amend the charter of the Merchants' Insurance Company of the city of Mobile.

The bill from the Senate in relation to certain property of Mary A. Gayse of Perry county was read, and the constitutional rule being suspended, was read the second and third times, and passed.

The bill from the Senate to incorporate the Cahawba and Woodville Plank Road Company, was read, and ordered to a second reading.

The bill from the Senate to provide for leasing the penitentiary was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Cox moved to amend the 7th section, as follows:

"Nor prohibit the State from abolishing the penitentiary system at any time the Legislature may think it necessary."

Mr. Bussey moved to lay the amendment on the table. Mr. Holley demanded the yeas and nays, and the motion prevailed. Yeas 45; nays 21.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Benbow, Benham, Booth, Bradford, Bussey, Carlisle, Nathaniel Davis, Nich. Davis, Earnest, Gladney, Gonder, W. C. Graham, Hall, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, Porter King, Lea, Liddell, Majors, Nicks, Pettey, Phillips, Price, Reaves, Rowe, Shorter, Stephens, Sterritt, Tarrant, Turner, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, and Wilson.

Those who voted in the negative are, Messrs. Austin, Banks, Bennett, Boon, Brown, Bulger, Caffey, Campbell, Cox, Critcher, J. W. Davis, Goldsby, Holley, F. S. Jackson, Manasco, McCollum, McMullen, Pool, Shelley, W. M. Smith, Snowdon.

The constitutional rule being then further suspended, the bill was read the third time, forthwith.

Mr. F. S. Jackson moved to postpone said bill until the 9th of February, and demanded the yeas and nays thereon.

Mr. Holley moved to suspend the rule requiring the House to adjourn at 9, and demanded the yeas and nays thereon, and before the vote was announced, the hour of 9 having struck, the House adjourned.

SATURDAY, January 31, 1852.

The House met pursuant to adjournment.

Mr. Speaker laid before the House sundry records of divorce, which were referred to the Committee on Divorce and Alimony.

Mr. Walker moved to suspend the call of the counties to take up the resolution to appoint a day on which the two Houses shall adjourn *sine die*.

Mr. Clements demanded the yeas and nays, and the motion was lost. Yeas 38; nays 38.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Bass, Benham, Bennett, Boon, Bradford, Bussey, Campbell, Clements, Coleman, J. W. Davis, Nathaniel Davis, Nich. Davis, Earnest, W. C. Graham, Hall, Hendree, Howard, J. W. W. Jackson, Jones, M. A. King, McCaskill, Oates, Pettey, Pool, Roper, Shorter. Staton, Stone, Walker, Watkins, Webb, Whitsitt, and Wilson.

Those voting in the negative are, Adams, Austin, Banks, Benbow, Booth, Brown, Carlisle. Cooper, Cox, Critcher, W. P. Davis, Gladney, Goldsby, Glover, Hendree, Hopkins, F. S. Jackson, Kavanaugh, Liddell, Manasco, Moragne, McCollum, McMullen, Nicks, Phillips, Reaves, Robinson, Rowe, Shelley, W. M. Smith, Snowdon, Tarrant, Turner, Wallace, P. Williams, S. Williams, and Woolsey.

Bills were introduced by:

Mr. Hall, for the relief of owners of land in the Big Bend.

Mr. McMullen, to authorise the appointment of an additional surveyor for Butler county.

Mr. Watkins, to incorporate the town of Frankfort in Franklin county.

Said bills were severally read, and the constitutional rule being suspended, were severally read a second and third time, forthwith, and passed.

Mr. J. W. W. Jackson introduced a bill to exempt one horse or ox waggon from execution, which was read, and ordered to a second reading.

Bills were introduced by:

Mr. Woolsey, to constitute K. Lovell a free dealer:

Mr. Coleman, for the benefit of certain persons therein named;

Which were severally read, and the constitutional rule being suspended, were read a second time forthwith, and referred to the Committee on Divorce and Alimony.

Mr. Jones introduced a bill to incorporate the Newbern Female Academy, which was read, and the constitutional rule being suspended, was read the second time forthwith. and referred to the Committee on Corporations.

Mr. Austin introduced a bill for the relief of Wm. H. Allen, which was read, and the constitutional rule being suspended, was read the second time forthwith, and pending the question of ordering said bill to a third reading, the hour of 11 having arrived, the House proceeded to the consideration of the special order.

Mr. Nathaniel Davis moved to suspend the special order, to take up the resolution proposing to appoint a day for the final adjournment of the two Houses, and demanded the yeas and nays thereon, and the motion prevailed. Yeas 42; nays 36.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Austin, Bass, Benbow, Boon, Bradford, Caffey, Campbell, Carlisle, Clements, Coleman, J. W. Davis, Nath. Davis, Earnest, Gladney, Gonder, W. C. Graham, Hall, Hendree, Howard, J. W. W. Jackson, Jones, M. A. King, P. King, Oates, Pettey, Pool, Rowe, Shelley, Shorter, Staton, Stone, Walker, Walton, Warren, Watkins, Webb, Whitsitt and Wilson.

Those who voted in the negative are, Messrs. Allen, Banks, Benbow, Bennett, Booth, Brown, Cooper, Cox, Critcher, W. P. Davis, Goldsby, Henshaw, Holley, Hopkins, F. S. Jackson, Kavanaugh, Liddell, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Phillips, Price, Reaves, Robinson, Roper, W. M. Smith, Sterritt, Snowden. Tarrant, Turner, Wallace, P. Williams and S. Williams.

On motion of Mr. Hall the message of the Senate was postponed to enable him to offer the following resolution, and the motion prevailed.

Resolved, That with the concurrence of the Senate, the two Houses of the General Assembly of the State of Alabama will adjourn on the 10th day of February, *sine die*.

Mr. Manasco moved to amend by striking out the 10th and inserting the 16th.

Mr. Shorter called the previous question.

Mr. Cooper demanded the yeas and nays, and the call was not sustained. Yeas 40; nays 42.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Bass, Benham, Bennett, Bradford, Brown, Campbell, Clements, Coleman, J. W. Davis, Nath. Davis, Gladney, Gonder, W. C. Graham, Hall. Holley. Howard, J. W. W. Jackson, Jones, M. A. King, P. King. Majors. McCaskill, Pettey, Pool, Price, Rowe, Shorter, Sterritt, Staton, Stone, Walker, Walton, Watkins, Webb, Whitsitt, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Austin, Banks, Benbow, Booth, Bulger, Caffey, Carlisle, Cooper, Cox, Critcher, Nich. Davis, W. P. Davis. Earnest, Glover, Goldsby, Henshaw. Hopkins, F. S. Jackson, Kavanaugh, Liddell, Manasco, Moragne, McCollum. McMullen, Nicks. Oates, Phillips, Reaves. Robinson. Roper, Shelley, W. M. Smith, Snowden, Tarrant, Turner, Wallace, Warren. P. Williams and S. Williams.

Mr. Bulger moved to lay the resolution on the table.

Mr Turner moved to postpone, and make said resolution the special order for the hour of 11 of the 4th of February.

Mr. Nath. Davis demanded the yeas and nays, and the motion was lost Yeas 34; nays 45.

Those who voted in the affirmative are, Messrs. Adams, Allen, Austin, Banks, Benbow, Bradford, Bulger, Caffey. Cooper, Cox, Critcher, Nich. Davis, W. P. Davis, Glover, Henshaw, Hopkins, F. S Jackson, Kavanaugh, Liddell, Moragne, McCollum, McMullen, Nicks, Oates, Phillips, Price, Reaves, Robinson, Roper, Shelley, W. M. Smith, Snowden, Tarrant and Turner.

Those who voted in the negative are, Messrs. Speaker, Allison, Bass, Benham, Boon, Booth, Brown, Bussey, Campbell, Carlisle, Clements, Coleman, J. W. Davis, Nath. Davis, Earnest, Goldsby, Gonder, W. C. Graham, Hall, Holley, Howard, J. W. W. Jackson, Jones, M. A. King, P. King, Majors, Manasco, McCaskill, Pettey, Pool, Rowe, Shorter, Staton, Sterritt, Stone, Walker, Wallace, Warren, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. Bulger withdrew his motion.

Mr. Gonder called for a division of the question, which was first taken on striking out 10th.

Mr. Shorter demanded the yeas and nays, and the motion was lost. Yeas 39; nays 43.

Those who voted in the affirmative are, Messrs. Adams, Allen, Austin, Banks Benbow, Booth, Brown, Bulger, Caffey, Carlisle, Cooper, Cox, Critcher, Nich. Davis, W. P. Davis, Earnest, Glover, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, Liddell, Manasco, Moragne, McCollum, McMullen, Nicks, Oates, Reaves, Robinson, Shelley, W. M. Smith, Snowden, Tarrant, Turner, Wallace, P. Williams, S. Williams and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Allison, Bass, Benham, Bennett, Boon, Bradford, Bussey, Campbell, Clements, Coleman, J. W. Davis, Nath. Davis Goldsby, Gonder, W. C. Graham, Hall, Holley, Howard, J. W. W. Jackson, Jones, M. A. King, P. King, Majors, McCaskill, Pettey, Phillips, Pool, Price, Roper, Rowe, Shorter, Sterritt, Stone, Walker, Walton, Warren, Watkins, Webb, Whitsitt, Williamson and Wilson.

Mr. Cooper demanded the yeas and nays on the passage of the resolution, and the same was adopted. Yeas 53; nays 30.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Austin, Bass, Benham, Boon, Booth, Bradford, Brown, Bussey, Campbell, Carlisle, Clements, Coleman, J. W. Davis, Nath. Davis, Earnest, Gladney, Goldsby, Gonder, W. C. Graham, Hall, Holley, Howard, J. W. W. Jackson, Jones, M. A. King, P. King, Majors, McCaskill, Oates, Pettey, Phillips, Pool, Price, Roper, Rowe, Shorter, Staton, Sterritt, Snowden, Stone, Walker, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, Wilson, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Allen, Banks, Benbow, Bennett, Bulger, Caffey, Cooper, Cox, Critcher, W. P. Davis, Hendree, Henshaw, Hopkins, F. S. Jackson, Kavanaugh, Liddell, Manasco, Moragne, McCollum, McMullen, Nicks, Reaves, Robinson, Shelley, W. M. Smith, Tarrant, Turner, Wallace and S. Williams.

On motion of Mr. Hall the resolution was ordered to be sent forthwith to the Senate.

Messrs. Goldsby, Woolsey, Oates, P. King and Staton obtained leave to record their votes against the passage of the bill adopting the Code.

The House then resumed the consideration of the bill of the majority of the Committee on Congressional Apportionment.

The question recurred on the motion of Mr. M. A. King, heretofore made, to indefinitely postpone said bill.

Mr. Shorter demanded the yeas and nays, and the motion prevailed. Yeas 52; nays 26.

Those who voted in the affirmative are, Messrs. Allison, Banks, Bass, Benbow, Booth, Brown, Bussey, Caffey, Carlisle, Coleman. Cox, Earnest, Glover, Goldsby, Gonder, W. C. Graham, Hall, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Jones, M. A. King, Porter King, Liddell, Manasco, McCaskill, McCollum, McMullen, Oates, Phillips, Reaves, Robinson, Roper, Shelley, Staton. Sterritt, Snowden, Stone, Turner, Walker. Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams. Williamson and Woolsey.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Austin, Bennett, Boon, Bradford. Bulger, Campbell, Clements, Critcher, J. W. Davis, Nath. Davis, W. P. Davis, J. W. W. Jackson. Kavanaugh. Moragne. Nicks, Pettey, Pool, Price, Rowe, Staton, W. M. Smith, Tarrant and Wilson.

The House then proceeded to the consideration of the bill of the minority of said committee.

Mr. Shorter moved the indefinite postponement thereof.

Mr. Henshaw demanded the yeas and nays, and the motion prevailed. Yeas 62; nays 15.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Allison, Austin, Banks, Bass, Benham, Boon, Bradford, Brown, Bulger, Campbell. Carlisle. Clements, Coleman, Critcher, J. W. Davis. Nath. Davis, Goldsby, Gonder, W. C. Graham, Hall, Hendree, Holley, Howard, F. S. Jackson. J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Phillips, Pool, Price, Reaves, Robinson, Roper. Rowe, Shelley, Shorter, W. M. Smith, Staton, Sterritt, Stone, Tarrant, Turner, Walker, Wallace, Warren, Watkins, P. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Benbow, Booth, Bussey, Caffey, Cox, Henshaw, Hopkins, Jones. Porter King, Snowden, Walton, Webb, Whitsitt, S. Williams and Woolsey.

The House then proceeded to the consideration of the bill introduced by Mr. Snowden, on the same subject.

Mr. Walker moved to amend by substitute, which was adopted.

Mr. Hall moved to amend as follows, which was adopted:

That the sheriffs of the counties of Choctaw and Hancock be authorised and required to hold elections in their respective counties, and to make returns of the same to the respective returning officers of their districts, as prescribed by the law of 1843, and that all other provisions of said law shall be of force and effect in the counties of Choctaw and Hancock.

The constitutional rule being then suspended, the bill was read the third time forthwith and passed.

Mr. Price Williams moved to take from the orders, the State apportionment bill introduced by Mr. Shorter.

Mr. Holley demanded the yeas and nays, and the motion prevailed. Yeas 57 ; nays 15

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Banks, Benham, Bennett, Boon, Bussey, Caffey, Campbell, Critcher, Carlisle. Clements, Coleman, J. W. Davis, Nath. Davis. Nich. Davis, W. C. Graham, Hall, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, M. A. King, P. King, Liddell, Majors, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staton, Sterritt, Tarrant, Turner, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Benbow, Booth, Brown, Cooper, Cox, W. P. Davis, Glover, Gonder, Holley, F. S. Jackson, Kavanaugh, Snowden S Williams, Williamson and Woolsey.

Mr. Gonder moved the indefinite postponement of said bill.

Mr. Holley demanded the yeas and nays, and the motion was lost Yeas 20 ; nays 52.

Those who voted in the affirmative are, Messrs. Benbow, Booth, Brown, Caffey, Cox, Nich Davis, Earnest, Glover. Gonder, Hendree, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, McMullen, Shelley, Snowden, Tarrant and Williamson.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Austin, Banks, Bass. Benham. Bennett. Boon. Bulger, Bussey, Campbell, Carlisle, Clements. Coleman, Cooper, Critcher, J. W. Davis, Nath. Davis, W. C. Graham, Hall, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, P King, Majors, Manasco. Moragne, McCaskill, McMullen, Pettey, Pool, Price, Reaves, Rowe, Shorter, W. M. Smith, Staton, Sterritt, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. Hall called the previous question.

Mr. Holley demanded the yeas and nays, and the call was sustained. Yeas 41 ; nays 36.

Those who voted in the affirmative are, Messrs. Adams, Allen, Benham, Bennett, Boon, Bulger, Campbell, Clements, J. W. Davis, Nich. Davis, Earnest, Goldsby, W. C. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Jones, P. King, Majors, Manasco. Moragne, McCaskill, Pettey, Pool, Prentice, Price, Reaves, Robinson, Shorter, W. M. Smith, Staton, Sterritt, Turner. Wallace, Watkins, Webb, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Austin, Banks, Benbow, Booth, Bradford, Brown, Bussey, Caffey, Carlisle, Coleman, Cooper, Cox, Critcher, Nath. Davis, Glover, Gonder, Hendree. F. S Jackson, Kavanaugh, M. A. King, Liddell. McCollum. McMullen. Nicks, Rowe, Shelley, Snowdon, Tarrant, Walton. Warren. S. Williams. Williamson and Woolsey.

And before Mr. Speaker announced the vote, the hour of one p. m. having arrived, the House adjourned.

AFTERNOON SESSION. January 31, 1852.

Mr. Speaker announced the result of the vote taken on this forenoon as the House adjourned.

The question recurred on ordering the bill to a third reading.

Mr. Wilson moved to reconsider the vote by which the previous question was sustained on this morning, and said motion prevailed.

The question recurred, Shall the main question be now put?

Mr. Hall demanded the yeas and nays, and the question was decided in the negative. Yeas 12 ; nays 55.

Those who voted in the affirmative are, Messrs. Adams, Allen, W. P. Davis, W. C. Graham, Hall. Hopkins. P King, McCaskill. Price, Reaves, Staton and Webb.

Those who voted in the negative are. Messrs. Speaker, Banks, Benbow, Bennett, Boon, Booth, Bradford, Brown. Bussey, Caffey, Campbell, Carlisle, Clements. Coleman, Cooper, Cox, Critcher, J. W. Davis, Nath. Davis. Nich. Davis, Earnest, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Manasco, Moragne, McCollum, McMullen, Nicks, Oates, Phillips, Pool, Prentice, Robinson, Rowe. Shelley. Shorter, W. M. Smith, Snowdon, Stone, Tarrant, Turner, Watkins, Wallace, Warren, Walker, Whitsitt, P. Williams, S. Williams, Williamson, Wilson and Woolsey.

So the call for the previous question was not sustained.

Mr. Nath. Davis moved to amend the bill by so altering the arrangement of the counties as to place Madison in that class having three members, and Blount in that class having one member.

Mr Bulger moved to lay the bill and amendment on the table.

Mr. Shorter demanded the yeas and nays, and the motion was lost. Yeas 24 ; 44.

Those who voted in the affirmative are, Messrs. Benbow, Booth, Brown, Bulger, Caffey, Cooper, Cox, Earnest, Glover, Hall, Holley, F. S. Jackson, Kavanaugh, McCollum, McMullen, Nicks, Rowe, Staton, Snowdon, Tarrant, Walker, Wallace, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Adams, Banks, Bennett, Boon, Bradford, Campbell, Carlisle, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, W. C. Graham, Hopkins, Howard, Jones, M. A. King, P. King, Liddell, Majors, McCaskill, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Shorter, W. M. Smith, Stone, Turner, Warren, Watkins, Webb, Whitsitt, P. Williams, Wilson and Woolsey--44.

Mr. Nath. Davis by leave withdrew his motion.

Mr. Rowe moved to amend by substitute as follows:

The county of Mobile four; the counties of Barbour, Benton, Chambers, Cherokee, Franklin, Jackson, Macon, Madison, Pike, Talladega, Tallapoosa, three representatives each. The counties of Butler, Coosa, Dallas, DeKalb, Fayette, Greene, Henry, Lauderdale, Lawrence, Limestone, Lowndes, Marengo, Marshall, Montgomery, Bibb, Blount, Perry, Pickens, Randolph, Russell, Shelby, Sumter, Tuskaloosa, two representatives each. The counties of Autauga, Baldwin, Clarke, Coffee, Choctaw, Conecuh, Covington, Dale, Monroe, Morgan, St. Clair, Hancock, Marion, Walker, Washington, Wilcox, Jefferson, one representative each.

Sec. 2. The county of Mobile shall constitute the first Senatorial District;

Second. Baldwin, Monroe and Clarke:

Third. Coffee, Covington ard Conecuh;

Fourth. Dale and Henry;

Fifth Barbour:

Sixth. Pike;

Seventh. Russell;

Eighth Macon;

Ninth. Momtgomery and Autauga:

Tenth. Dallas and Wilcox;

Eleventh. Sumter, Choctaw and Washington:

Twelfth. Greene and Marengo;

Thirteenth Perry and Bibb;

Fourteenth. Lowndes and Butler:

Fifteenth. Coosa;

Sixteenth. Tallapoosa;

Seventeenth Chambers;

Eighteenth. Randolph;

Nineteenth. Talladega;

Twentieth. Benton;

Twenty-first. Jefferson and Shelby;

Twenty-second. Tuskaloosa;

Twenty-third. Pickens;
Twenty-fourth. Marion and Fayette;
Twenty-fifth. Franklin;
Twenty-sixth. Lawrence, Hancock and Walker;
Twenty-seventh. Blount and St. Clair;
Twenty-eighth. Cherokee;
Twenty-ninth. Marshall and DeKalb;
Thirtieth. Jackson;
Thirty-first. Madison;
Thirty-second. Limestone and Morgan:
Thirty-third. Lauderdale.

Mr. Price Williams moved to lay the amendment on the table.

Mr. Holley demanded the yeas and nays, and the motion was lost. Yeas 33; nays 41.

Those who voted in the affirmative are, Messrs. Adams, Allen, Banks, Booth, Brown, Bussey, Campbell, Clements, J. W. Davis, W. P. Davis, Goldsby, Hopkins, Hendree, J. W. W. Jackson, Jones, P. King, Moragne, McAllister, Pettey, Philips, Pool, Prentice, Price, Robinson, Shorter, W. M. Smith, Staton, Sterritt, Stone, Turner, Webb, Whitsitt, and P Williams—33.

Those who voted in the negative are, Messrs. Speaker, Austin, Benbow, Bennett, Boon, Bradford, Bulger, Caffey, Campbell, Carlisle, Coleman, Cooper, Cox, Critcher, Nathaniel Davis, Nich. Davis, Earnest, Gonder, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Manasco, McCollum, McMullen, Nicks, Oates, Reaves, Rowe, Shelley, Snowdon, Turner, Walker, Watkins, S. Williams, Williamson, and Wilson.

Mr. Price Williams demanded the yeas and nays on the adoption of the substitute, and the same was adopted. Yeas 45; nays 33.

Those who voted in the affirmative are, Messrs. Speaker, Austin, Bass, Benbow, Boon, Bradford, Bulger, Caffey, Campbell, Carlisle, Cooper, Cox, Critcher, Nathaniel Davis, Nich. Davis, Earnest, Gonder, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Manasco, McCollum, McMullen, Nicks, Oates, Pettey, Prentice, Reaves, Rowe, Shelley, W. M. Smith, Snowdon, Tarrant, Walker, Warren, Watkins, S. Williams, Williamson, Wilson, and Woolsey—45.

Those who voted in the negative are, Messrs. Adams, Allen, Banks, Booth, Brown, Bussey, Clements, Coleman, J. W. Davis, W. P. Davis, Goldsby, W. C. Graham, Hall, Hopkins, Howard, J. W. W, Jackson, Jones, P. King, Moragne, McCaskill, Phillips, Pool, Price, Robinson, Shorter, Staton, Sterritt, Stone, Turner, Webb, Whitsitt, and Price Williams—33.

Mr. M. A. King moved to suspend the rule requiring the House to adjourn at 5.

Mr. Brown demanded the yeas and nays, and the motion prevailed. Yeas 45; nays 27.

Those who voted in the affirmative are, Messrs. Speaker, Austin, Boon, Booth, Bradford, Bulger, Caffey, Campbell, Carlisle, Clements, Cooper, Crtcher, J. W. Davis, Nath. Davis, Nich. Davis, Gender, W. C. Graham, Hall, Henshaw, Holley, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Nicks, Oates, Prentice, Price, Rowe, Shelley, Shorter, Staton, Sterritt, Snowdon, Walker, Wallace, Warren, Watkins, Webb, P. Williams, S. Williams, Wilson, and Woolsey—45.

Those who voted in the negative are, Messrs. Adams, Allen, Banks, Benbow, Bennett, Brown, Carlisle, Cox, W. P. Davis, Goldsby, Hopkins, Jones, P. King, Manasco, Moragne, McCaskill, McCollum, McMullen, Pettey, Poole, Reaves, Robinson, W. M. Smith, Stone, Tarrant, Turner, and Whitsitt—27.

Mr. Watkins moved to suspend the rule requiring the House to meet at 7, and the motion was lost.

Mr. Sterritt moved to alter the bill so as to give Madison two and Wilcox two representatives.

Mr. Hendree called the previous question.

Mr. Porter King moved to adjourn.

Mr. Oates demanded the yeas and nays, and the motion was lost. Yeas 36; nays 37.

Those who voted in the affirmative are, Messrs. Allen, Banks, Benbow, Bennett, Booth, Brown, Bussey, Caffey, Coleman, Cox, Critcher, W. P. Davis, Earnest, Glover, W. C. Graham, Hall, Hopkins, Howard, J. W. W. Jackson, Jones, Majors, Moragne, McCaskill, McCollum, McMullen, Poole, Reaves, Shorter, Sterritt, Stone, Tarrant, Turner, Warren, S. Williams, and Woolsey—36.

Those who voted in the negative are, Messrs. Speaker, Austin, Benham, Boon, Bradford, Campbell, Carlisle, Clements, Cooper, J. W. Davis, Nich. Davis, Nath'l Davis, Goldsby, Gonder, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, P. King, Liddell, Manasco, Nicks, Oates, Pettey, Prentice, Presley, Rowe, W. M. Smith, Snowdon, Walker, Wallace, Watkins, Webb, Williamron, and Wilson—37.

Mr. Holley demanded the yeas and nays on the call for the previous question, and the call was sustained. Yeas 31; nays 46.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Austin, Benbow, Benham, Bradford, Caffey, Carlisle, Cooper, Critcher, Nathaniel Davis, Nich. Davis, Earnest, Gonder, Hendree, Henshaw, Holley, F. S. Jaekson, Kavanaugh, M. A. King, Liddell, Majors, Manasco, Nicks, Oates, W. M. Smith, Snowdon, Watkins, Williamson, and Wilson—31.

Those who voted in the negative are, Messrs. Allen, Banks, Bass, Boon, Booth, Brown, Bussey, Campbell, Coleman, Clements, Cox, J. W. Davis, W. P. Davis, Glover, Goldsby, W. C. Graham, Hall, Hopkins, Howard, J. W. Jackson, Jones, Porter King, Moragne, McCaskill, McMullen, McCollum, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Shorter, Staten, Stone, Tarrant, Turner, Wallace, Warren, Webb, Whitsitt, P. Williams, S. Williams, and Woolsey—46.

Mr. Brown moved to amend the amendment of Mr. Sterritt, by striking out Wilcox and inserting Marion, which was lost.

Mr. M. A. King demanded the yeas and nays on the adoption of Mr. Sterrit's amendment, and the amendment was adopted. Yeas 41, nays 33.

Those who voted in the affirmative are, Messrs. Allison, Banks, Booth, Bussey, Campbell, Clements, Cooper, J. W. Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Hall, Henshaw, Hopkins, Howard, Jones, P. King, Moragne, McCaskill, McMullin, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Shorter, Staton, Sterritt, Stone, Tarrant, Turner, Wallace, Webb, Whitsitt, P. Williams, Williamson, and Woolsey—41.

Those who voted in the negative are, Messrs. Speaker, Adams, Austin, Benbow, Benham, Boon, Bradford, Caffey, Carlisle, Coleman, Critcher, Nathaniel Davis, Nich. Davis, Gonder, Hendree, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Manasco, McCollum, Nicks, Oates, Rowe, W. M. Smith, Snowdon, Walker, Warren, Watkins, S. Williams, and Wilson—33.

Mr. Williamson moved to reconsider the vote by which Mr. Sterritt's amendment was adopted.

Mr. Nath'l Davis moved to reconsider the vote by which Mr. Rowe's substitute was adopted.

Pending which, on motion of Mr. Bulger, the House adjourned.

NIGHT SESSION, January 31, 1852.

The House met pursuant to adjournment.

On motion of Mr. Holley the roll was called, and the following members answered thereto:

Messrs. Speaker, Allen, Banks, Benbow, Bennett, Bradford, Bulger, Caffey, Campbell, Cooper, Critcher, J. W. Davis, Nath'l Davis, W. P. Davis, Earnest, Gladney, Glover, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Liddell, Manasco, Moragne, McCaskill, Nicks, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shelley, Shorter, W. M. Smith, Sterritt, Tarrant, Walker, Wallace, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

Mr. Phillips, by leave, introduced joint resolutions in reference to a ship canal across the peninsula of Florida, which was read and adopted.

The bill from the Senate to amend an act approved 5th February, 1850, entitled an act to incorporate the Montgomery and Tuskaloosa Plankroad Company, was taken up, and on motion of Mr. Williamson was postponed until Tuesday next, and made the special order for the hour of 11½ o'clock said day.

Joint resolution to pay B. H. Spyker.

The bill for the relief of James McAdery and others.

The Senate bill for the relief of M. H. Jones.

The Senate bill to provide for the payment of certain claims against the State.

The Senate bill for the relief of Benjamin Howell, and for the relief of John Stuart.

The bill to compensate certain persons therein named.

Were severally read the second time, and referred to the Committee on Accounts.

The House proceeded to the consideration of the bill to prevent the introduction of slaves into this State, and for other purposes.

The question recurred on concurring in the report of the Committee on the Judiciary, adverse to said bill.

Mr. F. S. Jackson moved to postpone the bill and report until the 10th of February.

Mr. Goldsby demanded the yeas and nays, and the motion was lost. Yeas 33; nays 39.

Those who voted in the affirmative are, Messrs. Adams, Allen, Benbow, Boon, Booth, Bradford, Brown, Bulger, Caffey, Cox, Critcher, J. W. Davis, Nath. Davis, Gladney, Gonder, Holley, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Majors, Manasco, Pettey, Phillips, Reaves, Rowe, W. M. Smith, Staton, Sterritt, Snowden, Walker, Warren and Williamson.

Those who voted in the negative are, Messrs. Speaker, Austin, Banks, Benham, Bennett, Bussey, Campbell, Carlisle, Clements, Coleman, Cooper, Nich. Davis, Earnest, Glover, Goldsby, Hall, Hopkins, Jones, P. King, Liddell, Moragne, McCaskill, McCollum, McMullen, Nicks, Pool, Price, Robinson, Shelley, Shorter, Stone, Tarrant, Turner, Walker, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

On motion of Mr. Whitsitt the bill and report were laid on the table.

The bill to compensate Nimrod E. Benson and Justus Wyman for services rendered the State as commissioners to superintend the building of a new State House, was read the second time, and the constitutional rule being suspended, was read the third time forthwith, and passed.

The House proceeded to the consideration of the bill to incorporate the Central Bank of Alabama.

Mr. Turner demanded the yeas and nays on the adoption of the first amendment of the Committee on Banks and Banking, which proposed to strike out "twice" and insert "three times" in section 16 of article 3, and the amendment was adopted. Yeas 44; nays 27.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Banks, Benbow, Benham, Bennett, Boon, Booth, Bradford, Bulger, Caffey, Carlisle, Clements, Cox, Nich. Davis, Earnest, Glover, Gonder, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Liddell, Moragne, McCaskill, McMullen, Pettey, Phillips, Robinson, Rowe, Shelley, Shorter, Snowden, Walker, Wallace, Warren, Watkins, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Austin, Brown, Campbell, Coleman, Cooper, Critcher, J. W. Davis, Nath. Davis, Gladney, Goldsby, Hall, P. King, Majors, Manasco, McCollum, Nicks, Pool, Price, W. M. Smith, Staton, Sterritt, Stone, Turner, Webb, Whitsitt and Wilson.

Mr. Critcher demanded the yeas and nays on concurring in the second amendment, which proposed to strike out the words "and payable at the said bank," and insert "upon its face," in the 14th section.

Said amendment was adopted. Yeas 55; nays 4.

Mr. Goldsby moved to amend by striking out the word "central," which was adopted.

Mr. Bulger moved to amend by filling the blank in the first section with the words "at such place as may be designated by joint vote of the two Houses of the General Assembly."

On motion of Mr. Nath. Davis said amendment was laid on the table.

Mr. Critcher moved to postpone, and make said bill the special order for the hour of 12 on Tuesday next, and the motion was lost.

Mr. Rowe moved to amend as follows:

Be it further enacted, That no stockholder shall at any time become indebted to said bank, by loan or otherwise, directly or indirectly, to a larger amount than one-half the stock owned and paid for by such stockholder.

Mr. Campbell demanded the yeas and nays, and the amendment was lost. Yeas 32; nays 37.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Banks, Benbow, Boon, Brown, Bussey, Campbell, Critcher, Clements, Coleman, J. W. Davis, Nath Davis, Gladney, Majors, Manasco, McCollum, Pool, Price, Rowe, Shorter, W. M. Smith, Staton, Stone, Tarrant, Turner, Webb, Williamson, and Wilson, 32.

Those who voted in the negative are Messrs. Benham, Bennett, Bradford, Caffey, Cox, Nich. Davis, Earnest, Glover, Goldsby, Gonder, Hall, Holley, Hopkins, Howard, F. S. Jackson, Jones, Kavanaugh, M. A. King, P. King, Liddell, Moragne, McCaskill, McMullen, Nicks, Phillips, Reaves, Robinson, Shelley, Sterritt, Snowdon, Walker, Wallace, Watkins, Whitsitt, P. Williams, S. Williams, and Woolsey.—37.

Mr. F. S. Jackson moved to amend as follows; which was adopted: Provided, that no stockholder or company shall at any time cast more than one third of the votes given at any meeting of said stockholders, upon any question that may come before the stockholders of said bank.

Mr. Clements moved to amend as follows:

Be it further enacted, that the said bank is hereby authorised to establish an agency thereof at Tuskaloosa for the purpose of purchasing bills of exchange and discounting promissory notes; said agency to be regulated by the rules and by-laws of said bank.

Mr. Nicks moved to lay said amendment on the table. Mr. Adams demanded the yeas and nays, and the motion prevailed. Yeas 38; nays 29.

Those who voted in the affirmative were, Messrs. Speaker, Adams, Austin, Benbow, Bennett, Boon, Bradford, Campbell, Cooper, Critcher, Nathaniel Davis, Nich. Davis, Earnest, Gladney, Glover, Gonder, Hall, Henshaw, Hopkins, Howard, M. A. King, Majors, Moragne, McMullen, Nicks, Pettey, Reaves, Rowe, Shelley, Shorter, W. M. Smith, Sterritt, Turner, Walker. Watkins, S. Williams, Williamson, and Wilson.—37.

Those who voted in the negative are, Messrs, Allen, Banks, Benham, Booth, Brown, Bulger, Caffey. Clements, Coleman, Cox, J. W. Davis, Goldsby, Holley, F. S. Jackson, Jones, Kavanaugh, P. King, Manasco, McCaskill, McCollum, Phillips, Pool, Robinson, Snowdon, Tarrant, Wallace, Webb, Whitsitt, P. Williams—29.

Mr. Nath'l Davis moved to amend as follows; Provided that no stockholder shall be allowed to borrow more than the amount of their stock, either directly or indirectly.

Mr. Walker moved to lay said amendment on the table.

Mr. Cooper demanded the yeas and nays, and the motion prevailed. Yeas 49; nays 21.

Those who voted in the affirmative are, Messrs. Allen, Banks, Benbow, Benham, Booth, Bradford, Bulger, Bussey, Caffey, Clements, Cox, J. W. Davis, Nich. Davis, Earnest, Glover, Gonder, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Liddell, Moragne, McCaskill, McMullen, Pettey, Phillips, Price, Reaves, Robinson, Shorter, W. M. Smith, Sterritt, Snowdon, Tarrant, Walker, Wallace, Webb, Whitsitt, P. Williams, S. Williams, Williamson, and Woolsey—49.

Those who voted in the negative are, Messrs. Adams, Austin, Bennett, Boon, Brown, Campbell, Carlisle, Coleman, Cooper, Critcher, Nathaniel Davis, Gladney, Manasco, McMullen, Nicks, Pool, Rowe, Shelley, Staton, Turner, and Wilson—21.

Mr. Williams moved to postpone the special order to take up the bill from the Senate in relation to the South Plankroad, which was lost.

Mr. Williamson moved to adjourn.

Mr. Turner demanded the yeas and nays, and the motion was lost—Yeas 17; nays 54.

Those who voted in the affirmative are, Messrs. Adams, Allen, Brown, Bulger, Coleman, Critcher, Henshaw, Jones, P. King, Majors, McCollum, Nicks, Pettey, Pool, Reaves, Turner, and Warren—17.

Those who voted in the negative are. Messrs. Austin, Banks, Benbow, Benham, Boon, Booth, Bradford, Bussey, Caffey, Campbell, Carlisle, Clements, Cooper, Cox, J. W. Davis, Nat. Davis, Nich. Davis, Earnest, Glover, Gonder, Hall, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Manasco, Moragne, McMullen, Phillips, Price, Robinson, Rowe, Shelley, Shorter, W. M. Smith, Staton, Sterritt, Snowdon, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson, and Woolsey.—54.

The question recurred on ordering the bill to a third reading.

Mr. Hall moved to amend as follows: Provided that no stockholder in any other bank, in or out of the State, shall be eligible as a director, and provided further, that no director shall become indebted to the bank in a greater sum than the amount of his stock actually paid in.

Mr. Bulger called a division of the question.

Mr. Holley moved to lay the amendment on the table.

Mr. Critcher demanded the yeas and nays.

Mr. Holley withdrew his motion, and

Mr. Critcher renewed it.

Pending which question, on motion of Mr. Robinson, the House adjourned.

MONDAY, February 2, 1852.

The House met pursuant to adjournment.

Mr. Nathaniel Davis offered the following resolution, which lies over one day:

"*Resolved*, That the rule requiring the call of the counties be, and the same is hereby rescinded."

The House amended the resolution of the Senate proposing to go into the election of trustees of the University by striking out the 20th and inserting the 2d instant, and concurred in the resolution as amended.

Mr. Webb offered the following resolution, which was adopted:

"*Resolved*, That 500 copies of the list of names, post offices, &c., of the members and officers of the two Houses of the present General Assembly, compiled by the clerk of the House, be printed for the use of the two Houses and the officers of State."

Mr. Walton, from the Committee on Corporations, reported back the following bills without amendment:

To confirm and amend the charter of the Bibb county Steam Mill Company:

To incorporate the Wetumpka Mutual Insurance Company.

Mr. King, from the same committee, also reported back the following bills without amendment:

To charter the Montgomery Insurance Company:

To incorporate the Newbern Female Academy: and

Mr. Jones, from the same committee on the 16th Section Fund, reported back the bill to repeal an act for the encouragement of education, without amendment; and the constitutional rule being suspended, said bills were severally read the third time forthwith and passed.

Mr. Walker, from the Committee on Corporations, reported back the bill to amend the charter of the Alabama and Tennessee River Rail Road Company without amendment.

Mr. Nathaniel Davis moved to amend by striking out all which authorized said company to contract with guardians and trustees, which was lost, and the bill was then read the third time and passed.

Mr. M. A. King, from the same committee, reported back the bill to incorporate the Alabama and Georgia Rail Road Company, amended, by striking out the 9th section, which was adopted, and the bill was read the third time forthwith and passed.

The question recurred on the report of the committee of ways and means on the bill authorizing county subscriptions.

Mr. Hall moved to amend by excepting Autauga, Morgan and Jackson.

Mr. Nathaniel Davis moved to lay the bill on the table, and the motion prevailed.

Mr. Jones, from the Committee on the 16th Section Fund, reported adversely to the petition of Samuel Kennady and others.

Mr. Bennett withdrew the petition, and

Mr. Nathaniel Davis, from the Committee on the State Bank and Branches, reported adversely to the joint resolutions to authorize the bank commissioner to settle a debt therein named, due the branch bank at Mobile.

Mr. Booth withdrew the vouchers.

Said reports were severally concurred in.

Mr. Jones, from the Committee on the 16th Section Fund, reported adversely to the petition of Joshua Oden.

Mr. Shelley moved to lay the report on the table: the motion prevailed, and Mr. Shelley withdrew the petition.

Mr. Jones, from the same committee, reported back the Senate bill, to authorize the governor to issue a patent to certain school lands therein specified, without amendment, and the same was ordered to the third reading.

Mr. Jones, from the same committee, reported adversely to the bill supplemental to an act to locate lands for valueless 16th sections.

Mr Campbell moved to lay the report on the table, which was lost, and the report concurred in.

Mr. Nath. Davis, from the Committee on the State Bank and Branches, reported a bill for the relief of Joseph W. Davis, H. Davis and George Tunstall, which was read, and the constitutional rule being suspended, was read a second and third times forthwith and passed.

Mr. Nath. Davis, from the same committee, reported adversely to the bill for the relief of Wm. K. Paulding.

Mr. Glover moved to lay the report on the table, which was lost, and the report was concurred in.

Mr. Wilson, from the Committee on Accounts, reported back the bill for the relief of E. S Moore, without amendment.

Mr. Walker, from the Committee on the Judiciary, reported a substitute for the bill to define and regulate the liability of the Montgomery and West Point Rail Road Company, &c., which was adopted, the caption of said bill being also amended.

Also a substitute for the bill to authorise the appointment of a trustee for purposes therein named, which was adopted; and also reported back the bill in relation to dismissal of causes in the supreme and other courts, without amendment.

Mr. Webb, from the same committee, reported back the bill to emancipate a certain slave therin named, without amendment; and

Mr. Allison, from the same committee, reported back the bill to alter and amend the patrol laws now in force in the counties of Choctaw and Chambers, without amendment.

Said bills were severally read the third time, under a suspension of the constitutional rule, and passed.

Mr. Bulger, from the Committee on Accounts, reported adversely to the account of Pinkney Woolsey. (Mr. J. W. Davis withdrew the account.)

Mr. Walker, from the Committee on the Judiciary, reported adversely to the bill to regulate the fees of the register in chancery in the third district of the Southern Division.

Mr. Webb, from the same committee, reported adversely to the following bills:

To authorise the judge of probate of Pike county to divide the estate of Elias Kelly:

To change the law in relation to the hire of slaves:

To invest the court of probate of Jefferson county with certain powers:

To authorise the probate court of Benton county to decree the sale of certain lands.

Said reports were severally concurred in.

Mr. Walker, from the same committee, reported adversely to to the following bills, because the Code provides for the matter therein contained:

Relating to sales of real estate for taxes:

For the relief of Sephina West, of Pickens county:

To authorise judges of probate to practice law upon certain conditions:

For the relief of certain persons therein named:

To authorise commissioners of roads and revenue to establish and discontinue election precincts:

In relation to last wills and testaments, and the execution of the powers therein contained:

To provide for the compensation of sheriffs and clerks of the circuit courts for ex-officio services.

Said reports were severally concurred in.

Mr. Webb, from the same committee, reported back the bill to authorise the Governor to purchase books to supply the loss by fire, in burning of the capital, of books in the State library, with an amendment, which was adopted: also

The bill to require additional duties of clerks of the circuit courts, &c., without amendment: also

The bill relating to slaves and free persons of color, without amendment, which was concurred in: and also

Joint resolutions proposing amendments to the Constitution, without amendment.

All of which were severally ordered to be engrossed for a third reading.

Mr. Walker, from the same committee, reported back the bill to regulate the salaries of the solicitors of the State of Alabama, without amendment; the House refused to order said bill to a third reading.

Mr. Webb, from the same committee, reported adversely to the bill in relation to the statute of limitations.

Mr. Woolsey moved to lay the report on the table, and the motion was lost. The report was then concurred in.

Mr. Nicks moved to reconsider the vote by which the House concurred in report of the Judicial Committee adverse to the bill in relation to the hire of slaves.

Mr. Nath. Davis demanded the yeas and nays, and the motion was lost. Yeas 26; nays 52.

Those who voted in the affirmative are, Messrs. Austin, Boon, Booth, Brown, Bulger, Caffey, Carlisle, Cox, J. W. Davis. Nath. Davis, Hendree, Holley, M. A. King, Majors, Manasco, Moragne, McMullen, Nicks, Pool, Pr sley, Reaves, Rowe, Shorter, W. M. Smith, Snowdon, Seaborn Williams.

Those who voted in the negative are, Messrs. Speaker, Allen, Allison, Armstrong, Banks, Bass, Benham, Bussey, Campbell, Clements, Coleman, Nich. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham, Hall, Hanshaw, Hopkins, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Liddell, McCaskill, McCollum, Moss, Oates, Pettey, Phillips, Prentice, Price, Robinson, Roper, Shelley, John Smith, Stephens, Sterritt, Stone, Turner, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, Wilson and Woolsey.

Mr. Allison, from the Committee on the Judiciary, reported adversely to the bill to repeal the tenth section of the stray law in Clay's Digest, page 551.

Mr. Snowdon moved to lay the report on the table. the motion was lost, and the report concurred in.

Mr. Allison, from the same committee, reported adversely to the bill for the relief of W. W. Smith.

Mr. Coleman moved to lay the report on the table; the motion was lost, and the report was concurred in.

Mr. Allison, from the same committee, reported adversely to the bill giving to justices of the peace jurisdiction in cases of affray, and common assaults and battery.

Mr. Wilson moved to lay the report on the table, and the motion was lost.

The report was then concurred in.

Mr. Wilson demanded the yeas and nays thereon. Yeas 52; nays 23.

Yeas—Messrs. Speaker, Allen, Allison, Banks, Bass, Benham, Bennett, Booth, Bradford, Bussey, Campbell, Carlisle, Clements, Cooper, Nath. Davis, W. P. Davis, Earnest, Goldsby, W. C. Graham, Hall, Hendree, Henshaw, Hopkins, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, McCaskill, Moss, Pettey, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shelley, Shorter, Staton, Sterritt, Stone, Tarrant, Turner, Walker, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

Nays—Messrs. Austin, Boon, Brown, Caffey, Coleman, Cox, Critcher, J. W. Davis, Holley, Majors, Manasco, Moragne, McCollum, McMullen, Nicks, Prentice, Presley, John Smith, W. M. Smith, Stephens, Snowden, Warren and Wilson.

Mr. Hall, from the Committee on Ways and Means, reported adversely to the petition of Geo. G. Henry.

Mr. Carlisle, from the same committee, reported adversely to the bill to change the mode of appointing assessors and collectors of taxes in Marion county.

Mr. Brown moved to lay the report on the table, which was lost.

Mr. Jones, from the same committee, reported adversely to the bill for the relief of the securities of John Blizzard.

Mr. W. C. Graham moved to lay the report on the table, which was lost.

Said reports were then severally concurred in.

Mr. Phillips, from the Committee on Internal Improvements, made the following report, which was concurred in:

The Committee on Internal Improvements, to whom was referred the bill to divide the two and three per cent. funds equally among the several counties of the State, instruct me to report, that it is inexpedient and illegal so to dispose of said funds.

P. PHILLIPS,
Chairman Committee on Internal Improvements.

Mr. Phillips, from the same committee, reported back thes bill to incorporate the Cherokee Plank Road Company, and Gadsden and Springville Plank Road Company, without amendment, and the same was read the third time, under the suspension of the constitutional rule, and passed.

Mr. Phillips, from the same committee, made the following report:

The committee, to whom was referred bills:
For improving Buttahatchee:
The bill for clearing out the Sipsey:
The bill for removing obstructions in Lost river:
The bill for removing obstructions in Choctawhatchee river:
The bill to improve the navigation of the Alabama and Bigbee rivers:
The bill to remove obstructions in upper Coosa river:
The bill to improve the navigation of Conecuh river:
The bill to appropriate the two per cent. fund to the Charleston and Memphis Railroad:
The bill to appropriate the three per cent. fund to Wills Valley Railroad:
The bill loaning the credit of the State to the Alabama and Mississippi River Railroad:
The bill to appropriate three per cent. fund to the Montgomery Plankroad Company:
Have had the same under consideration:

Many of these works deserve the encouragement of the Legislature, but the committee are not in the situation of making any recommendation thereon, as there are other works deserving a portion of these funds now before the House and not referred.

As there is no resolution requiring the committee to make a general distribution of the three per cent. among the subjects most deserving of it, the committee instruct me to report the bills back to the house, and ask to be discharged from their further consideration.

P. PHILLIPS,
Chairman Com. Int. Imp.

Mr. Phillips, from the same committee, reported a substitute to the bill to aid the Alabama and Mississippi River Rail Road Company, which was adopted.

r. Oates moved to suspend the rule requiring the House to ad-
n at 1 P. M.

Turner demanded the yeas and nays, and the motion was
r. Yeas 22; nays 54.
t.

YEAS—Messrs. Bennett, Bulger, Cox, Glover, F. S. Jackson, M. A. King, Porter King, Liddell, McCaskill, McMullen, Moss, Nicks, Oates, Phillips, Presley, Shelley, Shorter, Sterritt, Wallace and P. Williams.

NAYS—Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Austin, Banks, Bass, Boon, Booth, Brown, Bussey, Caffey, Campbell, Carlisle, Clements, Coleman, Cooper, Critcher, J. W. Davis, Earnest, Goldsby, Gonder, W. C. Graham, Hall, Henshaw, Holley, Hopkins, J. W. W. Jackson, Jones, Majors, Manasco, Moragne, Pettey, Pool, Prentice, Price, Reaves, Roper, Rowe, John Smith, W. M. Smith, Staten, Stephens, Snowden, Stone, Tarrant, Turner, Walton, Warren, Whitsitt, S. Williams, Williamson and Wilson.

Mr. Presley moved to reconsider the vote by which the House concurred in the report of Mr. Phillips, declaring it to be inexpedient and illegal to distribute the two and three per cent. funds equally among the several counties.

Mr. Gonder demanded the yeas and nays, and the motion was lost. Yeas 34; nays 42.

YEAS—Messrs. Allison, Ashley, Austin, Boon, Booth, Brown, Bulger, Caffey, Carlisle, Coleman, Cox, J. W. Davis, Nathaniel Davis, Glover, Gonder, Hall, Hendree, Holley, J. W. W. Jackson, Majors, Manasco, McCollum, McMullen, Presley, Reaves, Rowe, John Smith, Stephens, Snowden, Turner, Walton, Warren, S. Williams, and Wilson.

NAYS—Messrs. Speaker, Allen, Armstrong, Banks, Bass, Benham, Bussey, Campbell, Clements, Cooper, Critcher, Earnest, Gladney, Goldsby, W. C. Graham, Henshaw, Hopkins, Jones, M. A. King, Porter King, Liddell, Moragne, McCaskill, Nicks, Oates, Pettey, Phillips, Pool, Price, Roper, Shelley, Shorter, W. M. Smith, Staten, Tarrant, Walker, Wallace, Watkins, Webb, Whitshitt, P. Williams and Woolsey.

Mr. Earnest presented the account of J. Bagley, and Mr. Hendree the account of J. W. Pollard, which were severally referred to the Committee on Accounts.

The hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, February 2, 1852.

The House met pursuant to adjournment.

The Senate, by invitation, appeared within the hall of the House, and the two Houses, in convention, proceeded to the election of a trustee of the university for the fourth judicial circuit. J. N. Malone and R. H. Ricks being in nomination.

Those who voted for Mr. Malone are, Messrs. Frazier, Fleming, Garrett, Heflin, James, Jones, Kelly, Matthews, Pearson, Patton, Stephenson, Toulman, Tarrant and Walker, of the Senate—14.

Mr. Speaker, Allen, Armstrong, Austin, Boon, Bulger, Bussey, Campbell, Clements, Coleman, Cox, J. W. Davis, Nathaniel Davis, W. C. Graham, Hall, J. W. Jackson, Jones, M. A. King, P. King, Major, Moragne, McCaskill, McMullen, Pool, Prentice, Price, Reaves, Roper, Rowe, Shorter, Staton, Sterritt, Tarrant, Whitsitt, P. Williams, Wilson and Woolsey, of the House—38; 14—52.

Those who voted for Mr. Ricks are, Messrs. Pressident, Aldridge, Baker, Bibb, Crenshaw, Cocke, Gunn, Jamison, Johnsen, O'Neal, Perrin, of the Senate—11. Messrs: Ashley, Allison, Banks, Renham, Bennett, Booth, Bradford, Brown, Caffey, Carlisle, Cooper, Critcher, W. P. Davis, Gladney, Glover, Goldsby, Holley, Hopkins, F. S. Jackson, Kavanaugh, Liddell, Moss, Nicks, Oates, Pettey, Presley, Shelley, Jno. Smith, W. M. Smith, Snowdon, Stone, Walker, Wallace, Walton, Watkins, Warren, Webb, S. Williams and Williamson, of the House—39; 11—50.

Mr. Malone having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected trustee of the University for the fourth judicial circuit for the time prescribed by law.

The Convention then proceeded to the election of a trustee for the fifth judicial circuit. C. C. Clay, jr., W. H. Forney, D. W. Bain and Lewis Wyeth being in nomination.

Those who voted for Mr. Clay are, Messrs. Fleming, James, Kelley, Malone, Toulman, and Winston, of the Senate—6. Messrs. Speaker, Armstrong, Austin, Boon, Bussey, Campbell, Clements, Coleman, Nath. Davis, Gladney, Goldsby, W. C. Graham, Hall, J. W. W. Jackson, McCaskill, McMullen, Rowe, Shorter, W. M. Smith, Sterritt, Stone, Whitsitt, P. Williams and Williamson, of the House—25; 6—31.

Those who voted for Mr. Bain are Messrs. President, Baker, Bibb, Cocke, Gunn, Garrett, Heflin, Johnson, Matthews, O'Neal, Pearson, Ricks and Tarrant, of the Senate—13. Messrs. Allison, Booth, Caffey, Carlisle, Cooper, Moragne, Moss, Roper, Jno. Smith, Snowdon, Walton and Woolsey, of the House—12; 13—25.

Those who voted for Mr. Wyeth are, Messrs. Aldridge, Crenshaw, Frazier and Jones, of the Senate—4. Messrs. Bradford, Browne, Crither, J. W. Davis, Glover, Hendree, F. S. Jackson, Kavanaugh, M. A King, Majors, McCollum, Staton and Wilson, of the House—13; 4—17.

Those who voted for Mr. Forney are, Messrs. Flewellin, Jemison, Perrin, Patton, Stephenson and Walker, of the Senate—6. Messrs. Allen, Ashley, Banks, Benbow, Bennett, Bulger, Cox, W. P. Davis, Earnest, Hopkins, Porter King, Liddell, Nicks, Oates, Pettey, Pool, Prentice, Price, Reaves, Robinson, Shelley, Tarrant, Walker, Wallace, Warren, Watkins, Webb and S. Williams, of the House—28; 6—34.

Neither of the candidates having received a majority of the whole number of votes given, the Convention proceeded to ballot a second time.

Those who voted for Mr. Clay are, Messrs. Frazier, Fleming, James, Jones, Kelley Malone, Pearson, Toulman and Winston, of the Senate—9. Messrs. Armstrong, Austin, Benbow, Bussey, Campbell, Clements, Coleman, Gladney. Goldsby, Hall, Howard, J. W. W. Jackson. Jones, P. King, Rowe, Shorter, W. M. Smith, Stone, Turner, Whitsitt, P. Williams. Williamson and Wilson, of the House—23 ; 9—32

Those who voted for Mr. Bain are, Messrs. President, Bibb, Gunn, Garrett, Johnson, Matthews. O'Neal and Tarrant, of the Senate—8. Messrs. Allison, Caffey, Carlisle. Cooper, Nath. Davis. Moragne, McCollum, McMullen, Presley, Shelley, John Smith and Woolsey, of the House—12 ; 8—20.

Those who voted for Mr. Wyeth are. Messrs. Aldridge and Crenshaw of the Senate—2. Messrs. Brown, Critcher, J. W. Davis, Holley. F. S. Jackson. Kavanaugh. Majors. Staton, of the House—8 ; 2—10.

Those who voted for Mr Forney are, Messrs. Baker, Cocke, Flewellen, Heflin. Jemison, Leslie, Patton. Ricks. Stephenson and Wallace. of the Senate—10 Messrs. Speaker. Allen, Ashley, Banks, Benham. Bennett. Boon, Booth, Bradford, Bulger, Cox, Nich. Davis, W. P. Davis. Glover, W. C Graham. Hendree, Hopkins, M. A King, Liddell, McCaskill, Moss. Nicks Oates, Pettey, Pool, Prentice, Price, Reaves. Robinson. Roper. Staton, Snowdon, Tarrant, Walker, Wallace, Walton, Warren. Watkins, Webb and S. Williams, of the House—41 ; 10—51.

Neither of the candidates having received a majority of the whole number of votes given, the Convention proceeded to ballot a third time. The names of Messrs. Wyeth and Bain being withdrawn.

Those who voted for Mr. Clay are, Messrs. Crenshaw, Frazier, Fleming, James. Jones, Kelly. Malone. Matthews, Pearson, Toulman, Tarrant and Winston, of the Senate—12. Messrs. Speaker. Armstrong, Austin, Bulger, Bussey. Campbell, Clements, Coleman. L. W. Davis. Nath. Davis, Gladney. Goldsby, Hall. Howard, J. W. W. Jackson. Jones, P. King, McMullen, Rowe, Shorter. W. M. Smith. Stone, Turner, Whitsitt, P. Williams. Williamson and Wilson, of the House—27 ; 12—39.

Those who voted for Mr. Formey are, Messrs. Aldridge, Bibb, Cocke. Gunn, Garrett. Heflin, Johnson Leslie, O'Neal. Perrin, Patton, Stephenson and Walker, of the Senate—13. Messrs. Allen, Allison, Banks, Benbow, Benham, Bennett, Boon, Booth, Bradford, Brown, Caffey, Carlisle, Cooper, Cox, Nich. Davis, W. P. Davis, Earnest, Glover, W. C. Graham, Hendree, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Majors, McCaskill, McCollum, Moss, Nicks, Oates, Pettey, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shelley, John Smith, Staton, Sterritt. Snowdon, Tarrant, Walker, Wallace, Walton,

Warren, Watkins, Webb, S. Williams and Woolsey, of the House—54; 13—67.

Mr. Forney having received a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected trustee for the fifth judicial circuit for the time prescribed by law.

The Convention then proceeded to the election of a trustee for the third judicial circuit. The name of Daniel E. Watrous alone being in nomination, who having received all the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected trustee for the third judicial circuit for the term prescribed by law.

The Convention then proceeded to the election of a trustee for the eighth judicial circuit. The name of F. P. Bulger alone being in nomination, who having received all the votes given, was declared by Mr. Speaker to have been duly and constitutionally elected trustee of the University for the eighth judicial circuit, for the time prescribed by law.

The Convention then proceeded to the election of a trustee for the ninth judicial circuit. Alexander Bowie and George Hendree being in nomination.

Those who voted for Mr. Bowie are, Messrs. Aldridge, Frazier, Garrett, Heflin, Malone, Perrin, Pearson, Storrs, Toulman, Tarrant, Walker, Watrous and Winston of the Senate, 13. Messrs. Allen, Austin, Bennett, Bussey, Clements, Coleman, J. W. Davis, Nath. Davis, Jones, Liddell, Moragne, Nicks, Pool, Price, Reaves, Shelley, Stephens and Wilson of the House—18: 13—31.

Those who voted for Mr. Hendree are, Messrs. President, Bibb, Crenshaw, Cooke, Flewellin, Gunn, Jemison, Johnson, Leslie, Mathews, O'Neal, Patton and Stephenson of the Senate—13. Messrs. Speaker, Allison, Armstrong, Banks, Bass, Benbow, Benham, Boon, Booth, Bradford, Brown, Bulger, Caffey, Campbell, Carlisle, Cooper, Cox, Critcher, Nich. Davis, W. P. Davis, Earnest, Gladney, Glover, Goldsby, W. C. Graham, Hall, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Majors, McCaskill, McCollum, McMullen, Moss, Pettey, Prentice, Presley, Robinson, Roper, Rowe, John Smith, W. M. Smith, Staton, Sterritt, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Watkins. Webb, Whitsitt, P. Williams, Williamson and Woolsey of the House—62: 13—75.

Mr. Hendree having a majority of the whole number of votes given, was declared by Mr. Speaker to have been duly and constitutionally elected trustee of the University for the ninth judicial circuit, for the time prescribed by law.

The Senate then withdrew.

Mr. Clements by leave, introduced a bill submitting to the people the consolidation of the school fund, and the levying of a tax for school purposes.

Mr. W. C. Graham moved to amend as follows:

And be it further enacted, That eight per cent. of the State taxes annually be, and the same is hereby set apart as a school fund, to be applied in the same manner that monies now in the State treasury, arising from the sale of lands granted to this State for the purpose of creating a school fund in townships having valueless sixteenth sections, are required by law to be applied.

Mr. W. M. Smith moved to lay said amendment on the table.

Mr. Nath. Davis moved to postpone, and make said bill and amendment the special order for the hour of 11 of Thursday next, which was lost, and the amendment was laid on the table.

Mr. Jones moved to amend said bill by striking out the promise in the second section.

On motion of Mr. W. M. Smith the bill and amendment were referred to the Committee on Education.

The House resumed the consideration of the bill to loan a portion of the two per cent. fund to the Alabama and Mississippi Railroad Company.

Said bill was amended, on motion of Mr. Porter King, by striking out all that relates to the three per cent. fund, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

Bills were introduced by:

Mr. F. S. Jackson, supplemental to an act to amend the city charter of Montgomery, approved January 17, 1852:

Mr. Stone, to amend an act establishing courts of probate, and for other purposes, approved 11th February, 1850:

Which were severally read, and the constitutional rule being suspended, were read a second and third time forthwith, and passed.

Mr. Whitsitt introduced a bill for the preservation of shade trees, and to prevent wanton and malicious injury, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Whitsitt moved a further suspension, in order to give said bill a third reading forthwith.

Mr. Bennett demanded the yeas and nays thereon.

Pending which, the hour of 5 P. M. having arrived, the House adjourned.

NIGHT SESSION, February 2, 1852.

The House met pursuant to adjournment, and resumed the consideration of the bill for the preservation of shade trees, and to prevent wanton and malicious injury.

Mr. Bennett withdrew the call for the yeas and nays, and the constitutional rule being suspended, said bill was read a third time forthwith, and passed.

Mr. Wallace introduced a bill declaring James Huffman and William Cook, liners between the counties of Pickens and Tuskaloosa, citizens of Tuskaloosa county, which was read, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

Mr. Shorter moved to postpone the consideration of the report from the Committee on Internal Improvement, to take up, 1st. The State apportionment bill; 2d. The joint resolutions reported by the Committee on the Military, to adopt and provide for the printing and distribution of the amended Military Code.

Mr. Brown demanded the yeas and nays, and the motion prevailed. Yeas 45; nays 28.

YEAS—Messrs Speaker, Allen, Allison, Armstrong, Bass, Benham, Boon, Booth, Bradford, Caffey, Campbell, Carlisle, Clements, Critcher, J. W. Davis, W. P. Davis, Freeman, Gladney, Glover, W. C. Graham, Henshaw, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, Porter King, Pool, Price, Rowe, Shorter, John Smith, W. M. Smith, Staten, Stephens, Sterritt, Snowden, Tarrant, Walker, Walton, Watkins, Webb, Whitsitt, S. Williams and Wilson.

NAYS—Messrs. Adams, Austin, Benbow, Brown, Bulger, Bussey, Cooper, Cox, Nicholas Davis, Goldsby, Hall, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Moragne, McCaskill, McCollum, McMullen, Nicks, Oates, Reaves, Shelley, Turner, Wallace, Warren, P. Williams and Williamson.

The State apportionment bill was accordingly taken up.

The question recurred on motion of Mr. Nathaniel Davis' motion to reconsider the vote by which the substitute of Mr. Rowe was adopted.

Mr. Adams moved to postpone said motion until Wednesday next, and demanded the yeas and nays thereon, and the motion was lost. Yeas 20, nays 50.

YEAS—Messrs. Adams, Allen, Austin, Brown, Cooper, Critcher, Nicholas Davis, N. S. Graham, Hall, Kavanaugh, M. A. King, Moragne, McCollum, McMullen, Nicks, Pettey, Staten, Freeman, Wallace, Warren.

NAYS—Messrs. Speaker, Allison, Armstrong, Bass, Benbow, Boon, Booth, Bradford, Bussey, Campbell, Carlisle, Clements, Cox, J. W. Davis, Nathaniel Davis, Freeman, Glover, Goldsby, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, Porter King, McCaskill, Oates, Pool, Presley, Price, Rowe, Shorter, John Smith, W. M. Smith, Stephens, Sterritt, Snowdon, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson.

Mr. Snowdon demanded the yeas and nays on Mr. Davis' motion to reconsider, and said motion was lost. Yeas 27, nays 43.

YEAS—Messrs Speaker, Allison, Austin, Bradford, Campbell, Carlisle, Clements, Cox, J. W. Davis, Nathaniel Davis, Goldsby, Hall, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, Porter

King, Moragne, McCaskill, Nicks, Phillips, Pool, Robinson, Stephens, Tarrant, Turner, P. Williams and Wilson.

NAYS—Messrs. Allen, Armstong, Benbow, Benham, Boon, Brown, Caffey, Critcher, W. P. Davis, Earnest, Freeman, Gonder, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, M. A. King, Liddell, McCollum, McMullen, Pettey, Presley, Price, Reaves, Rowe, Shorter, John Smith, W. M. Smith, Staten, Sterritt, Snowdon, Walker, Wallace, Walton, Watkins, Whitsitt, S. Williams, Williamson and Woolsey.

Mr. Williamson withdrew his motion heretofore made to reconsider.

Mr. Nathaniel Davis moved to amend the bill by so altering the arrangement of the counties in the first section, as to give Madison three representatives, and Blount, one.

Mr. W. P. Davis moved the previous question.

Mr. Hall demanded the yeas and nays thereon, and the call was sustained. Yeas 39, nays 36.

YEAS—Messrs. Speaker, Adams, Armstrong, Austin, Banks, Bass, Benbow, Boon, Bradford, Bulger, Bussey, Cooper, W. P. Davis, Earnest, Freeman, Gladney, W. C. Graham, Holley, Hopkins, J. W. W. Jackson, Moragne, McMullen, Phillips, Pool, Reaves, Robinson, Rowe, Shorter, Staten, Stephens, Sterritt, Snowdon, Tarrant, Walton, Warren, Webb, Whitsitt, P. Williams and Wilson.

NAYS—Messrs. Allen, Benham, Brown, Caffey, Carlisle, Clements, Cox, Critcher, J. W. Davis, Nath'l Davis, Nicholas Davis, Glover, Goldsby, Gonder, Hall, Henshaw, Howard, F. S. Jackson, Kavanaugh, M. A. King, Porter King, Liddell, McCaskill, McCollum, Nicks, Oates, Presley, Shelley, John Smith, W. M. Smith, Turner, Walker, Wallace, Watkins, S. Williams, Williamson.

Mr. Snowdon moved to reconsider the vote just taken, and the motion was lost.

Mr. Bussey moved to suspend the constitutional rule, so as to give said bill the third reading forthwith.

Mr. Brown demanded the yeas and nays, and the motion was lost. Yeas 18, nays 55.

Those who voted in the affirmative are, Messrs. Brown, Carlisle, Cox, Critcher, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, Porter King, Liddell, McCaskill, McCollum, Nicks, Presley, Shelley, W. M. Smith, Warren, S. Williams.

NAYS—Messrs. Speaker, Adams, Allen, Austin, Banks, Bass, Benbow, Benham, Boon, Booth, Bradford, Bussey, Caffey, Campbell, Clements, J. W. Davis, Nicholas Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, Gonder, N. S. Graham, W. C. Graham, Henshaw, Holley, Hopkins, Jones, M. A. King, Moragne, McMullen, Pettey, Phillips, Pool, Prince, Reaves, Robinson, Rowe, Shorter, John Smith, Staten, Stephens, Sterritt, Snowdon, Tarrant, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, Williamson and Wilson.

Mr. Hall demanded the yeas and nays, on ordering said bill to be engrossed for a third reading, and the bill was so ordered. Yeas 49; nays 22.

YEAS—Messrs. Allen, Austin, Banks, Bass, Benbow, Boon, Booth, Bussey, Campbell, Clements, J. W. Davis, W. P. Davis, Earnest, Freeman, Gladney, Gonder, W. C. Graham, Henshaw, Holley, Hopkins, F. S. Jackson, Jones, Manasco, McMullen, Oates, Pettey, Phillips, Pool, Prince, Robinson, Rowe, Shorter, John Smith, Staton, Stephens, Sterritt, Snowdon, Turner, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson, Woolsey.

NAYS—Messrs. Speaker, Benham, Bradford, Brown, Caffey, Carlisle, Cox, Critcher, Nath'l Davis, Goldsby, N. S. Graham, Hall, Howard, J. W. W. Jackson, Kavanaugh, M. A. King, McCaskill, McCollum, Nicks, W. M. Smith, Tarrant and Warren.

The joint resolution to adopt and provide for the printing and distributing the Military Code, was read the second time, and the constitutional rule being suspended, was read the third time, forthwith, and passed.

Mr. Turner moved to adjourn, and demanded the yeas and nays, and the motion was lost—Yeas 10; nays 53.

YEAS.—Messrs. Adams, Allison, Bass, Benham, Bradford, Brown, Critcher, McCollum, Pool, Turner.

NAYS.—Messrs. Speaker, Allen, Armstrong, Austin, Banks, Benbow, Boon, Booth, Bulger, Carlisle, Cooper, Cox, J. W. Davis, Nath'l Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, N. S. Graham, Hall, Holly, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Moragne, McCaskill, McMullen, Nicks, Phillips, Price, Reaves, Robinson, Rowe, Shelley, John Smith, W. M. Smith, Staton, Stephens, Sterritt, Snowdon, Tarrant, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams.

On motion of Mr. Phillips, the House resumed the consideration of the bank bill.

Mr. Critcher withdrew his motion to lay Mr. Hall's amendment on the table.

Mr. Hall withdrew the first proposition of his amendment, and the amendment, as modified was adopted.

Mr. Adams moved to amend rule 2d of section 16, by striking out "one fourth," with a view of inserting "one half."

Mr. Hall moved the previous question, and the call was sustined.

Mr. Adams moved to adjourn.

Mr. Turner demanded the yeas and nays, and the motion was lost—Yeas 14; nays 58.

YEAS.—Adams, Austin, Banks, Bass, Benbow, Brown, Caffey,

W. C. Graham, Porter King, McCollum, Staten, Stephens, Turner, Warren.

NAYS—Messrs. Speaker, Allen, Boon, Booth, Bradford, Bussey, Campbell, Carlisle, Clements, Cooper, Cox, Critcher, J. W. Davis, Nath'l Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Gonder, N. S. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. Jackson, Jones, Kavanaugh, M. A. King, Liddell, Moragne, McCaskill, McMullen, Nicks, Oates, Phillips, Pool, Price, Reaves, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Sterritt, Snowdon, Walker, Wallace, Walton, Watkins, Webb, Price, Williams, S. Williams, Williamson, and Wilson.

Mr. Stephens moved to adjourn.

Mr. Webb in the chair, ruled said motion out of order, inasmuch as no action had been taken by the House on the subject-matter under consideration, since a like motion had been put and lost.

Mr. Turner appealed from said decision, and demanded the yeas and nays thereon, and the chair was sustained—Yeas 56; nays 10.

YEAS—Messrs. Allen, Banks, Benbow, Booth, Bradford, Bulger, Caffey, Carlisle, Clements, Cooper, Cox, J. W. Davis, Nich. Davis, W. P. Davis, Earnest, Freeman, Glover, Goldsby, Gonder, W. C. Graham, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Jones, M. A. King, Liddell, Moragne, McCaskill, McMullin, Oates, Phillips, Pool, Price, Reaves, Robinson, Rowe, Shelley, Shorter, John Smith, Stephens, Sterritt, Snowdon, Tarrant, Walker, Wallace, Watkins, Walton, Whitsitt, P. Williams, S. Williams, Wilson, and Woolsey.

NAYS.—Messrs. Adams, Austin, Brown, Bussey, Nath'l. Davis, Hall, McCollum, W. M. Smith, Turner, and Webb.

Mr. Critcher moved to adjourn, and the motion was lost.

Mr. Turner moved a call of the House, which was lost.

Mr. Critcher moved to adjourn, and the motion was lost.

Mr. Stephens demanded the yeas and nays, on ordering said bill to be engrossed for a third reading, and the bill was so ordered. Yeas 52; nays 19.

YEAS—Messrs. Speaker, Allen, Banks, Bass, Benbow, Boon, Booth, Bradford, Bulger, Bussey, Caffey, Critcher, Nich. Davis, Earnest, Freeman, Glover, Gonder, N. S. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Porter King, Liddell, Moragne, McCaskill, McCollum, McMullen, Oates, Phillips, Pool, Reaves, Robinson, Rowe, Shelley, Shorter, John Smith, Walker, Wallace, Walson, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, and Woolsey.

NAYS.—Messrs. Adams, Austin, Brown, Campbell, Carlisle, Cox, J. W. Davis, Nath'l Davis, Goldsby, W. C. Graham, Nicks,

W. M. Smith, Staton, Stephens, Snowdon, Tarrant, Turner, Warren, and Wilson.

On motion of Mr. Gonder, the House then adjourned.

TUESDAY, February 3, 1852.

The House met pursuant to adjournment.

Mr. Cooper moved to reconsider the vote by which the House on yesterday concurred in the report of the committee on the judiciary, adverse to the bill giving to justices of the peace jurisdiction in cases of affray and common assaults and battery.

The bill from the Senate to authorise the sale of the stock held by the State in the bank of Mobile, was read the second time; and the counstitutional rule being suspended, was read the third time forthwith and passed.

Mr. N. S. Graham presented the petition of D. W. Bozeman, et. al., which was referred to the Committee on the Military.

Mr. Carlisle presented the account of Charles Simpson, which was referred to the Committee on Accounts.

The engrossed bill for State apportionment was read the third time.

Mr. Brown moved to lay the bill on the table, with a view of taking up the Senate bill on the same subject.

Mr. Snowden demanded the yeas and nays, and the motion was lost. Yeas 29; nays 55.

YEAS—Messrs. Allison, Benham, Bennett, Bradford, Brown, Carlisle, Coleman, Cooper, Cox, Critcher, Nicholas Davis, Goldsby, N. S. Graham, Hall, Hendree, Howard, J. W. W. Jackson, Kavanaugh, M. A. King, Porter King, Lea, McCollum, Nicks, Oates, Presley, Shelley, W. M. Smith, Tarrant and Walker.

NAYS—Messrs. Speaker, Adams, Allen, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Boon, Booth, Bussey, Caffey, Campbell, Clements, J. W. Davis, W. P. Davis, Earnest, Glover, Gonder, Henshaw, Holley, Hopkins, F. S. Jackson, Majors, Manasco, McCaskill, McMullen, Pettey, Phillips, Pool, Prentice, Price, Reaves, Roper, Rowe, Shorter, John Smith, Staten, Stephens, Sterritt, Snowden, Stone, Turner, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

Mr. M. A. King demanded the yeas and nays on the passage thereof and the bill passed. Yeas 52; nays 35.

YEAS—Messrs. Allen, Armstrong, Ashley, Banks, Bass, Beck, Benbow, Boon, Bulger, Bussey, Campbell, J. W. Davis, W. P. Davis, Gladney, Glover, Gonder, W. C. Graham, Henshaw, Holley, Hopkins, F. S. Jackson, Majors, Moragne, McMullen, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shorter, John Smith, Staten, Stephens, Sterritt, Snowden, Stone, Turner, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson and Woolsey.

Nays—Messrs. Speaker, Adams, Austin, Benham, Bennett, Bradford, Brown, Caffey, Carlisle, Coleman, Cooper, Cox, Critcher, Nathaniel Davis, Nicholas Davis, Goldsby, N. S. Graham, Hall, Hendree, Howard, J. W. W. Jackson, Kavanaugh, M. A. King, Porter King, Lea, Manasco, McCaskill, McMullen, Nicks, Oates, Presley, Shelley, W. M. Smith, Tarrant and Warren.

The bill from the Senate to establish a State hospital for insane persons in Alabama, was taken from the special orders.

Mr. Manasco moved to amend the 6th section by striking out 5 per cent. and inserting 2½.

Mr. W. M. Smith moved to lay the bill on the table, and demanded the yeas and nays, and withdrew said motion.and call.

Mr. F. S. Jackson called the previous question.

Mr. Wilson demanded the yeas and nays. Yeas 45, nays 43.

Yeas—Messrs. Speaker, Allen, Beck, Bennett, Booth, Bussey, Campbell, Carlisle, Clements, Coleman, Cooper, Nicholas Davis, W. P. Davis, Freeman, Gonder, W. C. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, Porter King, Moragne, McCaskill, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Price, Robinson, Roper, Shorter, Sterritt, Stone, Walker, Wallace, Webb, Whitsitt, P. Williams and S. Williams.

Nays—Messrs. Adams, Allison, Armstrong, Ashley, Austin, Banks, Bass, Benbow, Boon, Brown, Caffey, Cox, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Glover, Goldsby, Hendree, J. W. W. Jackson, Kavanaugh, M. A. King, Lea, Majors, Manasco, McCollum, McMullen, Presley, Reaves, Rowe, Shelley, J. Smith, W. M. Smith, Staten, Stephens, Snowden, Tarrant, Turner, Walton, Watkins, Williamson, Wilson and Woolsey.

So the call was not sustained.

Mr. Critcher called a division of the question on Mr. Manasco's motion.

Mr. Wilson demanded the yeas and nays on the proposition to strike out, and the motion was lost. Yeas 15; nays 69.

Yeas—Messrs. Adams, Armstrong, Brown, Cox, Critcher, J. W. Davis, Nathaniel Davis, Manasco, McCollum, McMullen, Presley, W. M. Smith, Staten, Stephens, Williamson.

Nays—Messrs. Speaker, Allen, Allison, Ashley, Austin, Banks, Bass, Beck, Benbow, Bennett, Boon, Booth, Caffey, Campbell, Carlisle, Clements, Cooper, Nicholas Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Goldsby, Gonder, N. S. Graham, W. C. Graham, Hall, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Moragne, McCaskill, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, Sterritt, Snowden, Stone, Tarrant, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

Mr. Hendree moved to amend as follows, which was adopted: 1st section, strike out all in the third line after the words persons, and insert the county in which it is to be located to be determined by a joint committee of the Senate and House of Representatives, to be appointed by the president of the Senate and speaker of the House, consisting of one from each judicial circuit, to be associated with the governor, and the particular site to be selected by five commissions, to be named by said committee.

Mr. Hendree moved to amend also as follows, which was adopted:

In the twenty-third section strike out all after the words "be it further enacted" down to the word "proceed," and insert "the joint committee, raised under the first section of this act, shall recommend to the Governor some qualified physician, who shall, with the approbation of the Governor, be empowered as early as practicable to preceed, &c." The ballance of the section to remain as it now stands.

The constitutional rule being then suspended, said bill was read the third time forthwith.

Mr. McMullen demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 64; nays 28.

YEAS—Messrs. Speaker, Allison, Austin, Banks, Bass, Beck, Benbow, Bennett, Booth, Bussey, Caffey, Campbell, Carlisle, Clements, Coleman, Nich Davis, Earnest, Gladney, Glover, Goldsby, N. S. Graham, W. C. Graham, Hall Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Moragne, McAllister, McCaskill, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, Shelley, Shorter, Jno. Smith, Sterritt, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

NAYS—Messrs Adams, Allen, Armstrong, Ashley, Boon, Brown, Cox, Critcher, J W. Davis, Nath. Davis, W. P. Davis, Freeman, Gonder, Majors, Manasco, McCollum, McMullen, Presley, W. M. Smith, Staton, Stephens, Snowdon, Turner and Wilson.

The House then proceeded to the consideration of the special order, it being the bill providing for the removal of the county cite of the county of DeKalb.

Mr. Majors moved to amend by an additional section as follows:

And be it further enacted. That the aforesaid commissioners shall have full power and authority, and it is hereby made their duty, to apply the proceeds of the sale of said lots, (or so much thereof as shall be sufficient,) to the erection of a suitable court house and jail at said new county cite; and whenever said public buildings are completed in such manner (without taxing the citizens of said county) as the judge of probate and commissioners of revenue and roads will receive, and upon the reception of the same the clerk of the circuit court, probate judge, register in chancery, county treasurer and sheriff of said county shall remove their respective offices to the new county cite within twenty days, or forfeit their office, or offices: *Provided, however*, that if the citizens have or will subscribe, in good faith, a sufficient amount to build a good court house in the town of Labanon, such as the judge of probate and commissioners of revenue and roads will receive, then and in that event the foregoing act shall be null and void to all intents and purposes.

On motion of Mr. Warren said amendment was laid on the table, and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

The House resumed the consideration of the bill amending the act incorporating the Montgomery and Tuskaloosa Plank Road Company.

The question recurred on the motion of Mr. Williamson, heretofore made to strike out $75,000 from the sixth section.

Mr. Hall called a division of the question.

Mr. Wilson demanded the yeas and nays on striking out, and the motion was lost. Yeas 36; nays 41.

YEAS—Messrs. Speaker, Armstrong, Austin, Bass, Beck, Benbow, Boon, Brown, Bulger, Campbell, Cooper, Cox, Critcher, Nath. Davis, Nich. Davis, Freeman, Goldsby, N. S. Graham, W. C. Graham, Hopkins, Jones, Porter King, Lea, Majors, McCaskill, Nicks, Phillips, Pool, Presley, Reaves, W. M. Smith, Stephens, Walton, Whitsitt, P. Williams and Wilson.

NAYS—Messrs. Adams, Allison, Allen, Ashley, Banks, Bennett, Caffey, Critcher, Clements, J. W. Davis, Earnest, Gladney, Glover, Gonder, Hall, Henshaw, Holley, Howard, F. S. Jackson, M. A. King, Moragne, McCollum, McMullen, Warren, Webb, S. Williams, Williamson and Woolsey.

Mr. McMullen moved to amend by appropriating the sum of thirty thousand dollars out of the three per cent. fund to the construction of a plank road from Benton, in Lowndes county, to Greenville, in Butler county, to be paid upon satisfactory proof to the Governor that ten miles of said road has been graded. The president of said company presenting to the Governor a bond, making the personal security satifactory. Said road to be completed within five years; in default of which, said sum of thirty thousand dollars to be paid back to the State upon demand of the proper officer.

Mr. Cooper moved to lay the amendment on the table.

Mr. McMullen demanded the yeas and nays, and the motion prevailed. Yeas 53; nays 26.

YEAS—Messrs. Speaker, Allen, Allison, Armstrong, Ashley,

Bass, Bennett, Booth, Bulger, Campbell, Clements, Cooper, Cox, Critcher, J. W. Davis, W. P. Davis, Earnest. Gladney, Glover, N. S. Graham, W. C. Graham. Hall, Hendree, Henshaw, Holley, Hopkins, Howard, Kavanaugh, M. A. King, McCollum, Nicks, Oates, Phillips, Prentice, Presley, Robinson, Shorter, W. M. Smith. Stephens, Stone, Tarrant, Turner, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, P Williams, Wilson and Woolsey.

Nays—Messrs. Adams. Austin, Banks, Beck, Benbow, Boon, Brown, Caffey, Nath. Davis, Nich. Davis, Freeman, Goldsby, Gonder, Jones, P. King, Lea, Manasco, Moragne, McMullen, Pool, Price. Reaves. John Smith, Sterritt, Snowdon and Williamson.

Mr. Webb moved to amend by striking out the 5th section.

Mr. Bennett moved to lay the bill and amendment on the table.

Mr. Cooper demanded the yeas and nays, and the motion was lost. Yeas 37; nays 42.

Yeas—Messrs. Armstrong, Austin, Beck, Benbow, Bennett, Boon, Bulger, Campbell, Cooper, Cox, Nich. Davis, Goldsby, Gonder, Graham, Hopkins, Jones, Kavanaugh, Porter King, Lea, Majors, Moragne, McMullen, Oates, Pool, Presley, Price, Rowe, Shelley, John Smith, W. M. Smith, Stephens, Snowden, Turner, Walton, Whitsitt, P. Williams and Wilson.

Nays—Messrs. Adams, Allen, Allison, Ashley, Banks, Booth, Caffey, Carlisle, Clements, Coleman, Nath. Davis, W. P. Davis, Earnest, Freeman, Goldsby, N. S. Graham, Hall, Henshaw, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, McCaskill, McCollum, Nicks, Pettey, Phillips, Prentice, Reaves, Robinson, Shorter, Staton, Stone, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Williamson and Woolsey.

The question recurred on Mr. Webb's motion to strike out the 5th section.

Pending which, the hour of 1 P. M. having arrived, the House adjourned.

Afternoon Session, February 3, 1852.

The House met pursuant to adjournment, and resumed the consideration of the bill to amend the act incorporating the Tuskaloosa and Montgomery Plankroad Company.

The question recurred on the motion of Mr. Webb to amend the bill by striking out the 5th section, with a view of inserting the following:

Be it further enacted, That the company shall not, in any manner whatsoever, engage in the transportation of passengers or freight on this road, and that a free competition in the conveyance of freight and passengers shall be allowed to all persons whatsoever, and the said president and directors are expressly prohibited from making or establishing any rates of toll, other than of entire equality and uniformity, upon all persons or property, and all vehicles of like character, and used for similar purposes.

Mr. Cooper moved to amend said amendment as follows:

Provided, That said company shall not charge for stage or vehicles carrying passengers, drawn by two horses, exceeding two cents per mile, and for stages or vehicles drawn by four horses, for carrying passengers, not exceeding three cents per mile.

Mr. Shelley called a division of the question, which was first taken on striking out the 5th section, and the motion prevailed.

Mr. Shelley moved to amend the amendment by substituting therefor the following:

That said company is vested with the right and power of demanding and exacting toll, as may be fixed by said company, for the transit of persons or property upon said road, for which purpose a rate of tolls shall be established and published at each toll gate on said road, for the information of the public; though it shall not be lawful to charge a greater amount on the articles and animals hereinafter enumerated than the rate hereinafter stipulated: For each horse or mule not in harness, one cent per mile per head; for horse and rider one cent per mile; for each one horse pleasure carriage, two and a half cents per mile; for each two horse pleasure carriage, three and a half cents per mile; for each loaded cart with one animal, one and a fourth cents per mile; for each loaded waggon or stage coach with two animals, three cents per mile; for all waggons or stage coaches with more than two animals, one half cent per mile for each additional head; empty carts and waggons to be charged at one half of the above rates. Each five head of neat cattle, two and a half cents per mile; each ten head of hogs or sheep two and a half cents per mile; Provided, The rates at any time established shall be the same upon all vehicles with the same number of animals and wheels, except pleasure carriages.

Mr. Jones moved to postpone the further consideration of the bill and amendments until to-morrow at 11 o'clock.

Mr. Armstrong moved to postpone until the 10th day of February.

Mr. Hall demanded the yeas and nays thereon, and the motion failed. Yeas 30; nays 45.

YEAS—Messrs. Speaker, Armstrong, Austin, Beck, Bennett, Boon, Campbell, Cox, Critcher, Nath. Davis, Nich. Davis, Goldsby, W. C. Graham, Hopkins, Jones, Porter King, Lea, Majors, Manasco, McCaskill, Oates, Pool, Presley, Price, Reaves, Robinson, W. M. Smith, Stephens, Turner and Wilson.

NAYS—Messrs. Allen, Allison, Ashley, Banks, Bass, Benbow, Benham, Booth, Caffey, Carlisle, Clements, Cooper, J. W. Davis, Earnest, Gonder, Hall, Hendree, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, McCollum, McMullen, Moss, Nicks, Pettey, Roper, Rowe, Shelley, Shorter, John Smith, Whitsitt, P. Williams, Williamson and Woolsey.

NIGHT SESSION, February 3d, 1852.

The House met pursuant to adjournment.

Bills were introduced by leave, by:

Mr. Allison, to authorize Dorothy Dorsett, executrix, to sell the real estate of her intestate, &c.

Mr. Holley, to incorporate the Elba Manufacturing Company.

Mr. Bussey, to revive the act incorporating the town of Richmond in Dallas county.

Mr. Ashley, making Battle Creek a public highway.

Mr. Rowe, to require the assistant commissioners, or clerks of the banks of this State and branches, to make report to the comptroller in respect to the 16th section funds.

Mr. Rowe, for the relief of Priscilla Shepard.

Mr. Pettey, to constitute P. B. Majors perpetual guardian of James R. Majors, and

Mr. Presley, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named.

Said bills were severally read, and the constitutional rule being suspended, were read the second and third times forthwith, and passed.

Mr. F. S. Jackson, from the Committee on Internal Improvements, reported back the bill to amend the charter of the Eufaula and Mobile Railroad Company, without amendment.

Mr. Presley, from the Committee on Divorce and Alimony, reported a substitute for the bill for the relief of Isaac P. Foreman, which was adopted.

Mr. Presley, from the same committee, reported back the bill for the relief of Mary E. Hughes, without amendment. and

W. C. Graham, from the Select Committee, reported back a bill to authorize the building of a mill in the Tennessee river, with an amendment, which was concurred in.

Said bills were severally read the third time, under a suspension of the constitutional rule, and passed.

Mr. Bulger, from the Committee on the Military, reported a bill to divide Coosa county into two regiments, and for other purposes, which was read, and ordered to a second reading.

The bill from the Senate, to change the line of Jackson and Marshall counties, was read the third time, and passed.

The bill to confer additional powers on the intendant and council of Jacksonville, Benton county, Ala., was taken up. The question recurred on the passage of the bill, and the House refused to pass said bill.

The House resumed the consideration of the bill from the Senate, to amend the act to incorporate the Montgomery and Tuskaloosa Plankroad Company.

The question recurred on the adoption of the amendment of Mr.

Shelley, as a substitute to the amendment of Mr. Webb, and the substitute was adopted.

Mr. Shorter moved to amend the amendment of Mr Shelley, by striking out the words "stage coaches."

Mr. Goldsby demanded the yeas and nays, and the motion was lost. Yeas 33; nays 38.

YEAS.—Messrs. Ashley, Allison, Banks, Bass, Benbow, Benham, Boon, Caffey, Clements, Earnest, Freeman, Gonder, N. S. Graham, Hall, Holly, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, McCollum, McMullen, Moss, Nicks, Rowe, Shorter, John Smith, Snowdon, Turner, Walker, Wallace, Webb, Whitsitt.

NAYS.—Messrs. Speaker, Adams, Allen, Armstrong, Austin, Beck, Brown, Bulger, Bussey, Campbell, Cooper, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Goldsby, W. C. Graham, Hopkins, Jones, Kavanaugh, Porter King, Lea, Majors, Manasco, Moragne, Pettey, Pool, Presley, Price, W. M. Smith, Turner, Walton, Watkins, Price Williams, Wilson, Woolsey.

Mr. Wallace moved to amend the amendment by striking out "three cents per mile," with a view of inserting "four," and "three and a half," with a view of inserting "five."

Said motion was lost.

Mr. Cox moved to amend by way of proviso, as follows, which was lost: "Provided, that one half the sum appropriated be expended on said road between Montevallo and the city of Montgomery.

Mr. Shelley's amendment was then adopted.

Mr. McMullen moved to reconsider the vote by which the House refused to strike out $75,000 from the 6th section.

Mr. Goldsby demanded the yeas and nays, and the motion was lost. Yeas 38; nays 40.

YEAS.—Messrs. Adams, Allen, Armstrong, Austin, Beck, Boon, Bussey, Campbell, Cox, Critcher, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Goldsby, Gonder, N. S. Graham, W. C. Graham, Hopkins, J. W. W. Jackson, Jones, Kavanaugh, Porter King, Lea, Majors, Manasco, McMullen, Pettey, Phillips, Pool, Presley, Price, Reaves, Turner, Walton, Whitsitt, P. Williams, Wilson,

NAYS.—Messrs. Speaker, Allison, Ashley, Banks, Bass, Benbow, Benham, Caffey, Carlisle, Clements, Cooper, Earnest, Freeman, Gladney, Glover, Hall, Hendree, Holley, Howard, F. S. Jackson, M. A. King, Liddell, Moragne, McCollum, Moss, Nicks, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Snowdon, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Williamson, Woolsey.

Mr. F. S. Jackson called the previous question.

Mr. Goldsby demanded the yeas and nays, and the call was not sustained. Yeas 36; nays 39.

YEAS.—Messrs. Allison, Armstrong, Ashley, Benbow, Benham, Brown, Caffey, Carlisle, Cooper, Nich. Davis, Freeman, Goldsby, Gladney, Glover, Gonder, Hall, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, McCollum, McMullen, Moss, Price, Rowe, Shelley, Shorter, John Smith, Snowdon, Walker, Walton, Webb, Williamson, Wilson.

NAYS—Messrs. Speaker, Adams, Allen, Austin, Banks, Bass, Beck, Boon, Bulger, Bussey, Campbell, Clements, Cox, Critcher, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, N. S. Graham, Hopkins, Jones, Porter King, Lea, Liddell, Majors, Manasco, Nicks, Pettey, Phillips, Pool, Presley, Reaves, W. M. Smith, Stephens, Turner, Warren, Watkins, Whitsitt and P. Williams.

Mr. Tarrant moved to amend as follows:

Be it further enacted, That twenty-five thousand of the amount appropriated by this act be and the same is hereby appropriated to the extension of the Tuskaloosa plank road to Elyton, in Jefferson county; and so soon as fifteen miles of said road is completed, it shall be the duty of the governor to draw his warrant as provided in this act, in favor of said Tuskaloosa Plank Road Company for the amount; the said company giving bond for the faithful application of said amount, so as to complete said road to Elyton in Jefferson county; and said sum when so paid over, shall constitute that amount of the capital stock of said company, for which the company shall issue certificates of stock to the State and deposit the same with the treasurer of the State: *Provided*, That no part of said sum shall be applied to the construction of said road that is now under contract.

Pending of which the hour of 9 o'clock having arrived, the House adjourned.

WEDNESDAY, February 4, 1852.

The House met pursuant to adjournment.

The bill from the Senate to define the jurisdiction of the city court of Mobile was read; and the constitutional rule being suspended, was read the second and third times forthwith and passed.

The bill from the Senate to amend the charter of the Mobile Marine Railway and Insurance Company, was read the second time; and the constitutional rule being suspended, was read a third time forthwith and passed.

On motion of Mr. M. A. King, the bill to incorporate the Bank of Alabama was taken from the general orders and read the third time.

Mr. Nathaniel Davis moved to fill the blank with Huntsville.

Mr. Shorter demanded the yeas and nays, and the motion prevailed. Yeas 46; nays 44.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin, Beck, Bennett, Bradford, Brown, Bussey, Campbell, Coleman, Cooper, Critcher, Nathaniel Davis, Nich.

Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Kavanaugh, M. A. King, P. King, Lea, Liddell, Manasco, Moragne, McCollum, Nicks, Oates, Pettey, Price, Roper, Shelley, W. M. Smith, Staten, Stephens, Tarrant, Turner, Walker, Warren, Watkins, P. Williams, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Allison, Ashley, Bass, Banks, Benbow, Boon, Booth, Bulger, Caffey, Carlisle, Cox, J. W. Davis, Glover, Gonder, N. S. Graham, Hall, Henderson, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, McCaskill, McMullen, Moss, Phillips, Pool, Prentice, Presley, Reaves, Robinson, Rowe, Shorter, John Smith, Sterritt, Snowden, Stone, Wallace, Walton, Webb, Whitsitt and Williamson.

Mr. Nathaniel Davis moved to fill the blank in the caption with the word "northern," which was adopted.

Mr. Nathaniel Davis demanded the yeas and nays on the passage of the bill, and the bill passed. Yeas 66; nays 26.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Banks, Bass, Benbow, Benhan, Bennett, Boon, Booth, Bradford, Bussey, Byrd, Caffey, Clements, Critcher, Nicholas Davis, W. P. Davis, Earnest, Freeman, Glover, Gonder, N. S. Graham, W. C. Graham, Hall, Henderson, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Lea, Liddell, Moragne, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Walker, Wallace, Watkins, Webb, Whitsitt, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Austin Beck, Brown, Campbell, Carlisle, Coleman, Cooper, Cox, J. W. Davis, Nathaniel Davis, Goldsby, Henshaw, Majors, Manasco, Presley, Staten, Stephens, Sterritt, Snowden, Stone, Tarrant, Turner, Walton, Warren and Wilson.

Mr. Nathaniel Davis moved to send said bill forthwith to the Senate.

Mr. Shorter demanded the yeas and nays, and the motion prevailed. Yeas 52; nays 43.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin, Beck, Benham, Bennett, Bradford, Brown, Bussey, Byrd, Campbell, Coleman, Critcher, Nathaniel Davis, Nicholas Davis, W. P. Davis, Earnest, Gladney, Goldsby, W. C. Graham, Jones, Kavanaugh, M. A. King, P. King, Lea, Liddell, Majors, Manasco, Moragne, McCollum, Nicks, Oates, Pettey, Prentice, Price, Roper, Shelley, W. M. Smith, Staten, Stephens, Sterritt, Stone, Tarrant, Turner, Walker, Warren, Watkins, Webb, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Allison, Ashley, Banks, Bass, Benbow, Boon, Booth, Bulger, Caffey, Carlisle, Clements, Cox. J. W. Davis, Freeman, Gonder, N. S. Graham, Hall, Henderson, Hendree, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, McAllister, McCaskill, McMullen, Moss, Phillips, Pool, Presley, Reaves, Rowe, Shorter, John Smith, Snowden, Wallace, Walton, Whitsitt, P. Williams, S. Williams and Williamson.

Mr. Speaker laid before the House the resignation of Frank Gilbreath, assistant clerk of the House.

Mr. Adams offered the following resolution, which was adopted:

Resolved, That James H. Cooper be appointed to fill the vacancy of assistant clerk of the House of Representatives, occasioned by the resignation of F. Gilbreath, and that he receive the usual pay of assistant clerk.

Mr. Freeman obtained leave to record his dissent to the location of the Northern Bank of Alabama.

On motion of Mr. Phillips, the joint resolutions proposing a call of a convention to alter and reform the constitution of the State of Alabama, was taken from the orders and read the second time; and pending the question of ordering the same to a third reading, the hour of 11½ o'clock having arrived, the House proceeded to the consideration of the special order, it being the Senate bill to amend the act incorporating the Tuskaloosa and Montgomery Plank Road Company.

The question recurred on the amendment of Mr. Tarrant, and the same was adopted.

Mr. Pettey moved to amend by appropriating ten thousand dollars of the three per cent. fund to the construction of a plank road from Russellville to Tuscumbia, in Franklin county, to be paid to such commissioners as the governor may appoint, who shall enter into bond with approved security, faithfully so to apply said sum.

Mr. Walton moved to lay the amendment on the table.

Mr. Shorter called the previous question.

Mr. W. M. Smith demanded the yeas and nays, and the call was sustasned. Yeas 48; nays 43.

YEAS—Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Benbow, Booth, Caffey, Campbell, Clements, Earnest, Freeman, Gladney, Glover, Gonder, W. C. Graham, Hall, Henderson, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, McAllister, McCollum, McMullen, Moss, Nicks, Prentice, Reaves, Robinson, Roper, Rowe, Shelley, John Smith, Sterritt, Snowden, Stone, Tarrant, Walker, Wallace, Walton, Webb, S. Williams, Williamson and Woolsey.

NAYS—Messrs. Adams, Armstrong, Austin, Beck, Benham, Bennett, Boon, Bradford, Brown, Bulger, Bussey, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nicholas Davis, Goldsby, Hendree, Hopkins, Jones, Kavanaugh, P. King, Lea, Majors, Manasco, Moragne, McCaskill, Oates, Pettey, Phillips, Pool, Presley, Price, Shorter, W. M. Smith, Staten, Stephens, Turner, Watkins, Whitsitt, P. Williams and Wilson.

The following message was received from the governor by Mr. Harrison:

Mr Speaker: His excellency the governor has approved bills which originated in the House of Representatives of the following titles, to wit:

An act to incorporate the Montgomery Mechanics' Association, and the Mobile Mechanics' Association :

An act to amend an act to incorporate the Southern Bank of Alabama :

An act to incorporate the Dadesville Masonic Female Institute :

An act for the relief of John Schirm :

An act to amend the charter of the Merchants' Insurance Company of Mobile :

An act to incorporate the White Plume Riflemen :

An act to incorporate the Mobile Baymen's Society :

An act for the relief of Phebe White :

An act to incorporate the Wills' Valley Rail Road Company :

An act to establish the McGehee College.

The following message was received by the Senate by Mr. Cain :

Mr. Speaker : Under the report of the joint committee of conference on the House bill, to be entitled an act to compensate the county treasurers of the counties of Limestone, Morgan and Chambers, out of the 16th section fund, &c., the Senate has receded from their amendments to the said bill. CAIN,

Secretary of the Senate.

Mr. W. M. Smith demanded the yeas and nays. on ordering to a third reading, the bill to amend the act incorporating the Montgomery, and Tuskaloosa Plank Road Company, and the House refused so to order the bill. Yeas 46, nays 47.

YEAS—Messrs Allen, Allison, Ashley, Banks, Bass, Benbow, Booth, Caffey, Clements, Cooper, Earnest, Freeman, Gladney, Glover, Gonder, Hall, Henderson, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, Manasco, Moragne, McAllister, McCollum, Moss, Nicks, Roper, Shelley, Shorter, John Smith, Staten, Snowdon, Stone, Tarrant, Walker, Wallace, Walton, Warren, Webb, S. Williams, Williamson and Woolsey.

NAYS—Messrs. Speaker, Adams, Armstrong, Austin, Beck, Bennett, Boon, Bradford, Bulger, Byrd, Campbell, Coleman, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nicholas, Davis, W. P. Davis, Goldsby, W. C. Graham, Hendree, Hopkins, Jones, Kavanaugh, P. King, Lea, Majors, McCaskill, McMullen, Oates, Pettey, Phillips, Pool, Prentice, Presley, Price, Reaves, Kobinson, Rowe, W. M. Smith, Stephens, Sterritt, Turner, Watkins, Whitsitt, P. Willians and Wilson.

Mr. Goldsby moved to reconsider the vote just taken.

Mr. W. M. Smith moved to postpone said motion to 1st February.

Mr. Holley demanded the yeas and nays, and the motion was lost. Yeas 38, nays 51.

YEAS—Messrs Speaker, Allen, Armstrong, Austin, Beck, Bennett, Boon, Bradford, Bulger, Bussey, Campbell, Coleman, Cox, Nath'l Davis, Nich. Davis, Goldsby, W. C. Graham, Hopkins, Jones, Kavanaugh, P. King, Lea, Majors, McCaskill, McMullen, Oates, Pettey, Pool, Prentice, Price, Reaves, Robinson, W. M. Smith, Stephens, Sterritt, Turner, P. Williams and Wilson.

NAYS—Messrs. Adams, Allison, Ashley, Banks, Bass, Benbow, Benham, Boon, Byrd, Caffey, Clements, Critcher, J. W. Davis, W. P. Davis, Earnest, Freeman, Gladney, Glover, Gonder, N. S. Graham, Hall, Henderson, Hendree, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, Moragne, McAllister, McCollum, Moss, Nicks, Phillips, Roper, Rowe, Shelley, Shorter, John Smith, Snowdon, Stone, Tarrant, Walker, Wallace, Walton, Warren, Webb, Whitsitt, S. Williams and Woolsey.

Mr. Adams moved to postpone said motion to Friday next, 10 o'clock.

Mr. Jones demanded the yeas and nays, and the motion was lost. Yeas 38, nays 50.

YEAS—Messrs. Speaker, Adams, Allen, Austin, Beck, Bennett, Bradford, Brown, Bussey, Critcher, Nath'l Davis, W. P. Davis, Goldsby, Hopkins, Jones, Kavanaugh, P. King, Lea, Majors, McCaskill, McMullen, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, W. M. Smith, Stephens, Sterritt, Turner, Watkins, Whitsitt, P. Williams, Williamson and Wilson.

NAYS—Messrs. Allison, Armstrong, Ashley, Banks, Bass, Benbow, Benham, Boon, Booth, Bulger, Byrd, Caffey, Campbell, Carlisle, Clements, Cox, J. W. Davis, Nich. Davis, Earnest, Freeman, Gonder, Hall, Hendree, Holley, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Liddell, Manasco, Moragne, McAllister, McCollum, Moss, Nicks, Roper, Rowe, Shelley, Shorter, J. Smith, Snowdon, Stone, Tarrant, Walker, Wallace, Walton, Warren, Webb, S. Williams, Woolsey.

Mr Hendree, by leave, introduced a bill to distribute a certain fund therein named, which was read.

A point of order having arisen, Mr. Speaker decided the bill introduced, by Mr. Hendree, to be out of order, inasmuch as the House on the 2d instant, concurred in a report from the committee on Internal Improvements, declaring the distribution of the two and three per cent. fund among the several counties, in proportion to their white population, for the improvement of navigable streams, and roads, to be inexpedient and illegal, and because the same principle is contained in each porposition.

From which decision Mr. Hendree appealed, and demanded the yeas and nays, and the chair was sustained. Yeas 39; nays 33.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Banks, Bass, Beck, Benham, Byrd, Caffey, Campbell, Clements, Critcher, Henderson, Holley, Hopkins, Howard, M. A. King, Lea, Liddell, McCaskill, Moss, Oates, Phillips, Prentice, Roper, Shorter, W. M. Smith, Staton, Stephens, Sterritt, Snowdon, Stone, Tarrant, Wallace, Webb, Whitsitt, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Armstrong, Ashley, Benbow, Boon, Booth, Brown, Bulger, Carlisle, Coleman, Cox, J. W. Davis, Nath. Davis, Gonder, N. S. Graham, W. C. Graham, Hendree, F. S. Jackson, Kavanaugh, Manasco, Moragne, McCollum, McMullen, Nicks, Pool, Presley, Reaves, Rowe, J. Smith, Turner, Walker, Walton, Warren and Williamson.

The House then proceeded to the consideration of the bill to submit the penitentiary system to the voice of the people.

Mr. Byrd moved to lay the bill on the table.

Mr. Critcher demanded the yeas and nays.

Pending which, the hour of one having struck, the House adjourned.

AFTERNOON SESSION, February 4, 1852.

The House met pursuant to adjournment.

The bill from the Senate to repeal in part an act to form two new chancery districts, approved 12th Feb'y, 1850, was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Whitsitt moved to strike out all that relates to the county of Choctaw.

The motion was lost, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

The Senate bill to incorporate the Mechanics' Saving Company of Mobile was read, and the constitutional rule being suspended, was read a second and third time forthwith, and passed.

The Senate bill to amend the charter of the South Plankroad was read the second time, and the constitutional rule being suspended, was read the third time forthwith, and passed.

Mr. Bennett introduced a bill to incorporate the Cahaba Valley Railroad Company, which was read, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

Mr. Cooper moved to reconsider, under the previous notice, the vote concurring in the report of the Judiciary Committee adverse to the bill giving to justices of the peace jurisdiction in cases of affrays and common assaults and battery.

Said motion prevailed.

Mr. Cooper moved to lay the report on the table.

Mr. Booth demanded the yeas and nays, and the motion was lost. Yeas 30; nays 46.

Those who voted in the affirmative are, Messrs. Armstrong, Austin, Boon, Brown, Coleman, Cooper, Cox, Critcher, J. W. Davis, Holley, Majors, Manasco, Moragne, McMullen, McCollum, Nicks, Oates, Prentice, Price, Roper, J. Smith, W. M. Smith, Staton, Stephens, Snowdon, Tarrant, Turner, Warren and Webb.

In the negative, Messrs. Speaker, Allen, Allison, Banks, Beck, Benbow, Benham, Bennett, Booth, Byrd, Caffey, Carlisle, Clements, Nath. Davis, Earnest, Gladney, N. S. Graham, W. C. Graham, Henderson, Hendree Henshaw, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, Lea, Liddell, McAllister, McCaskill, Moss, Pettey, Phillips, Presley, Reaves, Rowe, Shelley, Shorter, Sterritt, Stone, Walker, Walton, Watkins and S. Williams.

And the report was concurred in.

The bill from the Senate to provide for taking the sense of the several townships of this State in regard to the consolidation of the 16th section fund was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Lea moved to amend as follows, which was adopted:

Amend 7th section: *Provided*, however, that nothing contained in this act shall be so construed as to authorise any subsequent Legislature to consolidate or put into a common fund the amount that may belong to any township that shall vote against consolidation.

Mr. Snowdon moved to amend as follows:

Provided, That if there is not a sufficient number of citizens in any one township to hold an election, then in that case they shall be allowed to vote in any of the adjoining townships to such township.

Mr. Shelley moved to reconsider the vote adopting Mr. Lea's amendment.

Mr. W. C. Graham, demanded the yeas and nays thereon, and the motion prevailed. Yeas 46: nays 34.

Those who voted in the affirmative are, Messrs. Armstrong, Austin, Beck, Benbow, Benham, Bennett, Boon, Brown, Clements, Cooper, Cox, Critcher, J. W. Davis, N. S. Graham, Henderson, Hendree, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Liddell, Majors, Manasco, Moragne, McAllister, McCollum, McMullen, Nicks, Oates, Pettey, Phillips, Prentice, Presley, Robinson, Roper, Shelley, Shorter, W. M. Smith, Staton, Stephens, Snowdon, Stone, Tarrant, Turner, Warren and Wilson.

In the negative are, Messrs. Speaker, Allen, Allison, Ashley, Banks, Booth, Bussey, Caffey, Campbell, Carlisle, Nathaniel Davis, Gladney, Glover, Goldsby, W. C. Graham, Hopkins, Kavanaugh, P. King, Lea, Moss, Pool, Price, Reaves, Rowe, John Smith, Sterritt, Walker, Webb, Whitsitt, S. Williams, Williamson, and Woolsey.

Mr. Moss moved to refer the bill and amendment to the Committee on the Judiciary, and the motion was lost.

Mr. Porter King moved to suspend the rule requiring the House to adjourn at 5, and meet at 7.

Mr. Webb called a division of the question, and the first proposition prevailed.

Mr. Wilson demanded the yeas and nays on the second proposition, and the same was lost. Yeas 30; nays 49.

Those who voted in the affirmative are, Messrs. Allison, Armstrong, Bass, Beck, Benham, Bennett, Bussey, Clements, Goldsby, N. S. Graham, Hendree, Jones, P. King, Lea, Liddell, Manasco, McAllister, McCaskill, McCollum, Moss, Nicks, Oates, Pettey, Robinson, Shelley, W. M. Smith, Sterritt, Snowdon, Turner, and Woolsey.

In the negative are, Messrs. Allen, Ashley, Austin, Banks, Benbow, Boon, Booth, Brown, Bulger, Caffey, Campbell, Carlisle, Cooper, Cox, Critcher, J. W. Davis, Gladney, Glover, W. C. Graham, Henderson, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Majors, Moragne, McMullen, Pool, Prentice, Presley, Price, Reaves, Roper, Rowe, Shorter, John Smith, Staton, Stephens, Stone, Tarrant, Walton, Warren, Watkins, Webb, Whitsitt, and Wilson.

Leave of absence was granted to Mr. Sterritt for to-night.

The hour of 5 P. M. having arrived, the House adjourned.

NIGHT SESSION, February 4th, 1852.

The House met according to adjournment.

On motion, the roll was called, and the following members answered thereto:

Mr. Speaker, Allen, Austin, Benbow, Bennett, Boon, Bradford, Brown, Bulger, Caffey, Campbell, Carlisle, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Earnest, Freeman, Gladney, Glover, Gardner, W. C. Graham, Hall, Holley, Hopkins, Howard, F. S. Jackson, Jones, Kavanaugh, M. A. King, Lea, Majors, Manasco, McMullen, Nicks, Pettey, Phillips, Pool, Presley, Price, Reaves, Rowe, Shorter, John Smith, W. M. Smith, Staton, Stephens, Snowdon, Walker, Walton, Warren, Watkins, Webb, Whitsitt, and Wilson.

The engrossed bill for the relief of R. G. Walker was read the third time, and passed.

Mr. Wilson, from the Committee on Accounts, reported back the following bills without amendment:

For the relief of Benjamin B. Rogers, tax collector of Marion county:

For the relief of M. H. Jones:

To provide for the payment of certain claims against the State:

For the relief of John Stewarder:

To compensate certain persons therein named:

For the relief of Benjamin Howell.

Mr. Hopkins, from the same committee, reported back the bill for the relief of Thomas H. Giles, without amendment.

Mr. Warren, from the Committee on roads, bridges, and ferries, reported back the bill to regulate the liability of persons to work on public roads in Talladega county, without amendment; also

The bill authorising certain persons, therein named, to construct dams across Wills Creek, without amendment; and

Mr. Gladney, from the Committee of Ways and Means, reported back the bill for the relief of Peter McGee, without amendment.

Said bills were severally read a third time, under the suspension of the constitutional rule, and passed.

Mr. Wilson, from the Committee on Accounts, reported adversely to the bill for the relief of James McAdory and others, and

Mr. Reaves, from the same committee, reported adversely to the account of J. Bagley.

Said reports were severally concurred in.

Bills were introduced by:

Mr. F. S. Jackson, to authorise appeals from the decisions of the mayor and aldermen of the city of Montgomery:

Mr. F. S. Jackson, to authorise Jason Jones, guardian, &c., to sell the property of his ward:

Mr. John Smith, to change the West Point and Tallassee road:

Said bills were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

The bill to compensate John W. Murphy and Samuel Parmer for money paid out and services rendered the State, was read the second time, and the constitutional rule being suspended, was read the third time, forthwith, and passed.

Mr. Boon introduced a bill for the relief of John Judah, which was read, and the constitutional rule being suspended, was read the second time, forthwith.

Mr. Manasco moved to amend, by requiring the comptroller to issue his warrant on the treasury for sixteen dollars and four cents, in favor of John B. Romine, late tax collector of Walker county.

Said amendment was adopted, and the constitutional rule being further suspended, the bill was read the third time, forthwith, and passed.

The bill to provide for the incorporation of Steamship Company,

And the joint resolution for printing and distributing the 2nd biennial report of Professor Tuomey, were severally read the second time; and

The bill authorising the appointment of guardians at law to free persons of color; and the constitutional rule being suspended, were read a third time, forthwith, and passed.

The bill from the Senate to amend the charter of the Southern Bank of Alabama was read the second time.

Mr. Phillips moved to amend as follows, which was adopted:

Be it further enacted, That the same rates of interest extended to said bank shall also be extended to the president, directors and company of the Bank of Mobile under the renewal of its charter, passed at this session.

The constitutional rule being suspended, the bill was read the third time forthwith and passed.

Mr. Warren, from the Committee on Roads, Bridges and Ferries, reported back the bill to establish a turnpike road in the county of St Clair, with amendments.

Mr. Critcher moved to lay the amendments on the table, the motion was lost, and amendments were concurred in.

On motion of Mr. Austin said bill was postponed until 7½ o'clock on to-morrow evening.

Mr. John Smith introduced a bill incorporating the town of Notasulga, which was read, and the constitutional rule being suspended, was read the second time forthwirh and referred to the Committee on Corporations.

The bill from the Senate to amend the charter of the Girard Rail Road Company was read the second time, and the constitutional rule being suspended, was read the third time forthwith and passed.

Mr. Hall, from the Committee of Ways and Means, reported back the bill incorporating the Gulf and Atlantic Steam Navigation and Direct Trade Company, with amendments, which was concurred in, and the constitutional rule being suspended the bill was read the third time forthwith and passed.

The bill from the Senate to incorporate the Prattville Plank Road company was read the second time, and the constitutional rule being suspended, was read the third time forthwith and passed.

The Senate bill authorising the issuance of certificates of stock to the commissioners of the sixteenth section in certain cases, was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Hall moved to suspend the constitutional rule further to give said bill the third reading forthwith, and demanded the yeas and nays thereon. Yeas 57; nays 2.

Those who voted in the affirmative are, Messrs. Allen, Allison, Armstrong, Ashley, Austin, Banks, Benbow. Benham, Bradford, Bulger, Caffey, Carlisle. Cooper, Cox, Critcher, J. W. Davis, Earnest, Freeman. Gladney, Glover, Hall, Henderson, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Majors, Manasco, McMullen, Nicks, Pettey, Pool, Presley, Price, Reaves, Roper. Rowe, John Smith, W. M. Smith, Staton, Snowdon, Tarrant, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, Wilson and Woolsey.

Those who voted in the negative are Messrs. W. C. Graham and Stephens.

So the rule was suspended, and the bill was read the third time forthwith and passed.

The Senate bill to amend an act to incorporate the Memphis and Charleston Rail Road Company was read, and the constitutional rule being suspended, was read the second and third times forthwith and passed.

The Senate bill to amend an act to authorise and regulate the business of banking was read, and the constitutional rule being suspended, was read the second time forthwith, and on motion of Mr. Stephens was postponed and made the special order for the hour of 11 o'clock on to-morow.

Mr. Tarrant, from the Select Committee, reported back the bill to change the time and attach a part of the county of Tuskaloosa to the county of Jefferson, without amendment, and the constitutional rule being suspended, said bill was read the third time forthwith and passed.

The bill to provide for the payment of certain claims, &c., was read the second time and referred to the Committee on the Judiciary.

The joint memorial from the Senate to the Congress of the United States praying a repeal or modification of the proviso to the second section of the act of September 28, 1850, entitled an act to enable the State of Alabama and other States to reclaim the swamp lands within their limits, was read and adopted.

The joint memorial from the Senate to the Congress of the United States, praying a grant of land to aid in the construction of certain rail roads mentioned therein, was read.

Mr. Watkins moved to amend said joint memorial as follows:

Be it resolved, That the Governor furnish our Senators and Representatives in Congress with a copy of this memorial, and that they be requested to urge the passage of a law by Congress embracing the objects contained in this memorial.

Said amendment was adopted.

Mr. F. S. Jackson moved to amend as follows: Insert Coosa and Tallapoosa Rail Road, Canton, Aberdeen and Tuscumbia Rail Road. Montgomery and Tuskaloosa Plank Road and Alabama and Georgia Rail Road.

On motion of Mr. Stephens said bill was postponed, and made the special order for the hour of half-past three o'clock of to-morrow afternoon.

Mr. Snowdon gave notice that he would move to reconsider the vote by which the chair was sustained in the appeal made by Mr. Hendree on this day.

The Hour of 9 o'clock having arrived the House adjourned.

THURSDAY, February 5, 1852.

The House met pursuant to adjournment.

Mr. Sterritt, under previous notice, moved to reconsider the vote by which, on the 26th ultimo, the bill to change the place of holding the chancery court of the second district of the southern division of the State of Alabama passed.

Said motion prevailed, and the House refused to pass said bill.

This bill had been inadvertently sent to the Senate pending the notice to reconsider, had passed the Senate and been returned to the House.

The clerk was instructed to inform the Senate of the facts above set forth in relation to said bill.

Mr. Snowdon, under notice, moved to reconsider the vote on yesterday sustaining the chair, on Mr. Hendree's appeal.

Mr. Hendree demanded the yeas and nays, and the motion prevailed. Yeas 46; nays 41.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Banks, Benbow, Benham, Bennett, Boon, Booth, Brown, Bulger, Caffey, Carlisle, Coleman, Cooper, Cox, J. W. Davis, Nath. Davis, Gonder, N. S. Graham, W. C. Graham, Henderson, Hendree, Henshaw, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, P. King, Majors, Manasco, McCollum, McMullen, Moss, Nicks, Pettey, Pool, Presley, Reaves, Rowe, John Smith, Stephens, Snowdon, Walton, Warren and Williamson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Beck, Bussey, Byrd, Campbell, Nich. Davis, W. P. Davis, Earnest, Gladney, Goldsby, Howard, Jones, Kavanaugh, M. A. King, Lea, McCaskill, Oates, Phillips, Robinson, Roper, Shorter, W. M. Smith, Staton, Sterritt, Stone, Tarrant, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Wilson and Woolsey.

The question recurred, shall the decision of the chair stand as the decision of the House?

Mr. Price Williams demanded the yeas and nays, and the chair was not sustained. Yeas 40; nays 40.

YEAS—Messrs. Speaker, Adams, Allen, Austin, Bass, Beck, Bussey, Byrd, Caffey, Campbell, Clements, Nich. Davis, W. P. Davis, Gladney, Goldsby, Henderson, Howard, Jones, Kavanaugh, M. A. King, Lea, McCaskill, Phillips, Prentice, Price, Robinson, Shorter, W. M. Smith, Staton, Sterritt, Stone, Tarrant, Wallace, Watkins, Webb, Whitsitt, P. Williams, Wilson and Woolsey.

NAYS—Messrs. Allison, Armstrong, Ashley, Banks, Benbow, Benham, Boon, Booth, Brown, Bulger, Carlisle, Coleman, Cox, J. W. Davis, Nath. Davis, Glover, Gonder, N. S. Graham, W. C. Graham, Hall, Hendree, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Manasco, McCollum, McMullen, Nicks, Pettey, Pool, Presley, Reaves, Rowe, John Smith, Snowdon, Walton, Warren and Williamson.

Mr. Hall presented the following protest:

I protest against the action of the House in ordering a portion of its journals to be expunged, (that part relating to a difficulty between two of its members,) believing that it is done in violation of plain constitutional obligations. BOLLING HALL.

Mr. F. S. Jackson, under notice, moved to reconsider the vote concurring in the report adverse to the bill to regulate camp hunting in the county of Clarke.

The House concurred in the amendment of the Senate to the bill to appoint a receiver of the two per cent. fund, and to amend the road law of this State in the counties of Cherokee, Shelby, Talladega and Perry.

The Senate bill to amend an act to authorise and regulate the business of banking, was ordered to a third reading.

The question recurred on reconsidering the vote by which the House refused to order to a third reading the Montgomery and Tuskaloosa Plankroad bill.

Mr. Wilson demanded the yeas and nays, and the motion was lost. Yeas 39; nays 44.

Yeas—Messrs. Allison, Ashley, Banks, Bass, Benbow, Benham, Booth, Byrd, Caffey, Carlisle, Clements, Coleman, Cooper, Glover, N. S. Graham, Hall, Henshaw, Holley, Howard, F. S. Jackson, M. A. King, Liddell, Moragne, McCollum, Moss, Nicks, Phillips, Rowe, Shorter, John Smith, Snowdon, Stone, Tarrant, Walker, Wallace, Webb, P. Williams, S. Williams and Woolsey.

Nays—Messrs. Speaker, Allen, Armstrong, Austin, Beck, Bennett, Boon, Bradford, Brown, Bulger, Campbell, Cox, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Goldsby, Gonder, W. C. Graham, Hendree, Hopkins, Jones, Kavanaugh, P. King, Lea, Majors, McCaskill, McMullen, Oates, Pettey, Pool, Prentice, Presley, Price, Reaves, Robinson, W. M. Smith, Stephens, Sterritt, Walton, Watkins, Whitsitt, Williamson and Wilson.

The hour of 12 M. having arrived, Mr. Walker moved to suspend the official order to take up the bills to aid the Memphis and Charleston, the Girard and Mobile, and the Ohio Railroads.

Mr. Gonder demanded the yeas and nays thereon, and the motion prevailed. Yeas 50; nays 36.

Yeas—Messrs. Speaker, Armstrong, Allen, Austin, Banks, Bass, Benham, Booth, Bradford, Byrd, Campbell, Clements, Cooper, Nich. Davis, W. P. D vis, Gladney, Glover, W. C. Graham, Henderson, Henshaw, Holley, Hopkins, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, McAllister, McCaskill, Nicks, Oates, Pettey, Phillips, Robinson, Shelley, Shorter, John Smith, W. M. Smith, Staton, Stephens, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Wilson and Woolsey.

Nays—Messrs Adams, Allen, Allison, Ashley, Benbow, Bennett, Boon, Brown, Bulger, Caffey, Carlisle, Cox, J. W. Davis, Nath'l Davis, Goldsby, Gonder, N. S. Graham, Hall, Hendree, Howard, Lea, Majors, Manasco, Moragne, McCollum, McMullen, Pool, Prentice, Presley, Price, Reaves, Rowe, Sterritt, Snowdon, Warren and Williamson.

The bill from the Senate to aid the Memphis and Charleston Railroad Company, was read.

Mr. Brown demanded the yeas and nays, on ordering said bill to a second reading, and the same was so ordered. Yeas 51, nays 31.

YEAS—Messrs. Speaker, Allen, Armstrong, Austin, Banks, Bass, Benham, Booth, Bradford, Byrd, Campbell, Clements, Nich. Davis, W. P. Davis, Gladney, W. C. Graham, Hall, Henderson, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, Lea, Liddell, Moragne, McAllister, McMullen, Oates, Pettey, Phillips, Price, Robinson, Shelley, Shorter, W. M. Smith, Stephens, Sterritt, Stone, Tarrant, Walker, Wallace, Walton, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Wilson and Woolsey,

NAYS—Messrs. Adams, Allison, Ashley, Beck, Benbow, Bennett, Boon, Brown, Bulger, Caffey, Carlisle, Coleman, Cox, J. W. Davis, Nath'l Davis, Goldsby, Gonder, N. S. Graham, Hendree, Howard, Majors, McCollum, Nicks, Pool, Presley, Reaves, Rowe, Staten, Snowdon, Warren and Williamson.

Mr. Hall moved to reconsider the vote just taken.

A point of order having arisen, Mr. Nath'l Davis in the chair, decided that Mr. Hall in discussing the motion to reconsider, was not out of order in attending to or touching the merits of the Mobile and Ohio Rail Road bill, it having been taken up with the bill proposed to be reconsidered.

Mr. Campbell appealed from said decission.

Mr. Moss demanded the yeas and nays thereon, and the chair was sustained. Yeas 22, nays 38.

Those who voted in the affirmative are, Messrs. Adams, Allison, Banks, Bass, Beck, Benbow, Bennett, Boon, Brown, Bulger, Caffey, Carlisle, Coleman, Cox, Critcher, J. W. Davis, Gonder, N. S. Graham, W. C. Graham, Henderson, Hendree, Howard, F. S. Jackson, P. King, Lea, Majors, Manasco, McCaskill, McCollum, McMullen, Moss, Pool, Prentice, Presley, Prince, Rowe, Staten, Sterritt, Snowden, Walton, Warren.

Those who voted in the negative are, Messrs. Allen, Armstrong, Ashley, Austin, Booth, Bussey, Byrd, Campbell, W. P. Davis, Earnest, Gladney, Henshaw, Holley, Hopkins, Kavanaugh, M. A. King, Nicks, Oates, Pettey, Phillips, Robinson, Shorter, John Smith, W. M. Smith, Stephens, Stone, Walker, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

The hour of 1 P. M. having arrived, the House adjourned.

AFTERNOON SESSION, February 5, 1852.

The House met pursuant to adjournment.

The following message was received from the governor, by Mr. Harrison:

Mr. Speaker: His excellency, the governor, has approved bills which originated in the House of Representatives, of the following titles, to-wit:

An act making appropriations to pay certain claims against the State:

An act to compensate the treasurers of Limestone, Morgan and Chambers, for receiving and paying out the 16th section fund:

An act to incorporate the Alabama Direct Trade and Exchange Company:

An act in relation to the appointment of guardians in certain cases:

An act in relation to the estate of James M. Harsday, deceased.

An act to enlarge the corporation of Fayetteville:

An act to amend the charter of the Fulton Insurance Company:

An act in relation to burnt records of Coffee county:

An act to prevent injury by the burning of the woods at improper seasons of the year.

Mr. Hall, by leave, withdrew his motion to reconsider the vote ordering the bill to aid the Charleston and Memphis Railroad Company to a second reading.

Mr. Wilson renewed said motion.

Mr. Hendree moved to suspend the consideration of said motion, to call up a bill and to take up the bill to improve the Buttahatchie river.

Mr. Liddell demanded the yeas and nays, and the motion prevailed. Yeas 42, nays 36.

Those who voted in the affirmative are, Messrs. Adams, Allison, Ashley, Banks, Beck, Boon, Booth, Brown, Bulger, Caffey, Carlisle, Coleman, Cox, Critcher, Nath'l Davis, Glover, Goldsby, Gonder, W. C. Graham, Hall, Hendree, F. S. Jackson, J. W. W. Jackson, P. King, Majors, Manasco, McCollum, McMullen, Moss, Pool, Prentice, Presley, Reaves, Rowe, John Smith, Staten, Sterritt, Snowdon, Tarrant, Warren, Webb and Williamson.

NAYS—Messrs. Speaker, Allen, Armstrong, Austin, Benham, Bussey, Byrd, Cooper, Earnest, Gladney, Henshaw, Holley, Jones, Kavanaugh, M. A. King, Lea, Liddell, McCaskill, Nicks, Oates, Pettey, Phillips, Price, Robinson, Shorter, W. M. Smith, Stephens, Stone, Walker, Wallace, Walton, Watkins, Whtisitt, P. Williams, Wilson and Woolsey.

Mr. Hall moved to suspend the rule requiring the House to meet at 7 o'clock.

Mr. Oates demanded the yeas and nays, and the motion was lost. Yeas 28, nays 53.

Those who voted in the affirmative are, Messrs Speaker, Allison, Benham, Carlisle, Cooper, Cox, J. W. Davis, Nath'l Davis, Gonder, N. S. Graham, Hall, Hendree, Henshaw, Hopkins, F. S. Jackson, Jones, P. King, Lea, Manasco, Moragne, McCollum, Moss, Pool, Presley, Rowe, Sterritt, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Allen, Ashley, Austin, Banks, Beck, Benbow, Boon, Booth, Bulger, Bussey, Byrd, Caffey, Campbell, Coleman, Critcher, Gladney, Glover, Henderson, Holley, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Majors, McCaskill, McMullen, Nicks, Oates, Pettey, Phillips, Prentice, Price, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Staten, Stephens, Snowdon, Stone, Tarrant, Walker, Walton, Warren, Watkins, Webb, Whitsitt, P. Williams, Wilson and Woolsey.

The hour of half past three having arrived, the House proceeded to the consideration of the joint memorial to the congress of the United States, praying a grant of land to aid in the construction of certain railroads mentioned therein.

Mr. F. S. Jackson moved to amend as follows:

Your memorialists also ask that grants be made in accordance with the foregoing memorial to the following rail roads, viz: The Coosa and Tallapoosa rail road, the Montgomery and Pensacola rail road, the Coosa and Chattooga rail road.

Mr. Nicks moved to amend by adding the Alabama and Georgia rail road.

Mr. Lea moved to refer said memorial and amendments to the Committee on Internal Improvements, with instructions to reduce the memorial two-thirds in length, and to specify the object sought therein.

Mr. M. A. King moved to lay said memorial and amendments on the table.

Mr. Nathaniel Davis moved to postpone and make said memorial and amendments the special order for to-morrow at 11 o'clock.

Mr. Byrd moved to postpone to Tuesday next at half past three o'clock.

Mr. Bradford to suspend the rule requiring the House to adjourn at 5 o'clock.

Mr. —— demanded the yeas and nays, pending which the hour of 5 having arrived, the House adjourned.

NIGHT SESSION, February 5, 1852.

The House met according to adjournment.

There being no quorum, Mr. F. S. Jackson moved a call of the roll.

Mr. Bradford moved to adjourn.

Mr. Price Williams demanded the yeas, and the motion was lost. Yeas 6; nays 49.

Those who voted in the affirmative are, Messrs. Cox, Nathaniel Davis, Hall, Henshaw, Moss and Pool.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Bass, Beck, Benham, Bennett, Boon, Booth, Bradford, Bussey, Caffey, Carlisle, Cooper, Critcher, J. W. Davis, W. P. Davis, Earnest, Freeman, Gladney, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, P. King, Moragne, McAllister, McCaskill, Nicks, Presley, Reaves, Rowe, Shelley, J. Smith, W. M. Smith, Sterritt, Walton, Warren, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson and Woolsey.

The House proceeded to the consideration of the special order, it being the bill to establish a Turnpike Road in the county of St. Clair.

Mr. Critcher moved to lay the bill and amendments reported by the committee on the table, which was lost.

The amendments were concurred in; and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

The House concurred in the Senate amendment to the bill for the relief of W. B. Locke.

The Senate bill to amend the charter of the Montgomery and Wetumpka Plank Road Company.

The joint resolution to provide for the placing the city clock of Montgomery upon the State capitol.

The bill to provide for draining the pond district in the county of Franklin, and

The bill to repeal a certain law therein named, were severally read the second time; and the constitutional rule being suspended, were read the third time forthwith and passed.

The bill to pay James Floyd was read the second time.

Mr. Ashley moved to suspend the constitutional rule to give said bill a third reading forthwith.

Mr. Wilson demanded the yeas and nays, and the motion prevailed. Yeas 58; nays 13.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Beck, Benbow, Benham, Bennett, Boon, Booth, Bradford, Brown, Bussey, Caffey, Coleman, Cooper, Cox, Critcher, J. W. Davis, W. P. Davis, Goldsby, N. S. Graham, W. C. Graham, Hendree, Henderson, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Jones, P. King, Lea, Liddell, Moragne, McAllister, McCaskill, McCollum, Moss, Nicks, Oates, Pettey, Pool, Presley, Price, Roper, John Smith, Staten, Snowdon, Walker, Walton, Warren, Watkins, Whitsitt, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Armstrong, Nich. Davis, Glover, Hopkins, M. A. King, Manasco, McMullen, Reaves, Rowe, Shorter, W. M. Smith, Webb and Wilson.

Mr. Wilson demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 51; nays 16.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Beok, Benham, Bennett, Boon, Booth, Bradford, Brown, Bussey, Caffey, Coleman, Cooper, Cox, Critcher, Nicholas Davis, W. P. Davis, Goldsby, N. S. Graham, Henderson, Hendree, Holley, Howard, F. S. Jackson, Jones, P. King, Lea, Liddell, McAllister, McCaskill, McCollum, Nicks, Oates, Pettey, Pool, Price, Roper, Staten, Sterritt, Snowden, Walton, Warren, Whitsitt, P. Williams and S. Williams.

Those who voted in the negative are, Messrs. Armstrong, Austin, J. W. Davis, Glover, Hall, Hopkins, M. A. King, Manasco, McMullen, Presley, Reaves, Rowe, J. Smith, W M. Smith, Webb and Wilson.

The engrossed bills

For the relief of the heirs of Robert Hughes, deceased:

For the relief of Mark Boulware:

For the relief of Mary Austin:

To authorise Dr. M. Randell, of the county of Fayette, to collect moneys due him for professional services:

The Senate bill to authorise the Governor to issue a patent for certain school lands therein specified.

Were severally read the third time and passed.

The Senate bill for the relief of Alfred Nance, et al. securities of James Lacy, deceased, former tax collector for Dallas county, was read, and the constitutional rule being suspended, was read the second and third times forthwith and passed.

The Senate bill to authorise certain persons therein named to clear out Pass Heron and for other purposes, was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Price Williams moved to amend as follows:

Sec. 6. *Be it further enacted*, That crafts and floats shall pass said channel, free of charge, which draw two and one-half feet of water or less: *Provided*, That this act shall not allow any craft or float to obstruct the regular steamboat passage along said channel which may be opened under this act.

Said amendment was adopted, and the rule being further suspended, the bill was read the third time forthwith and passed.

The bills from the Senate for the relief of John Silsby, and for the benefit of the sheriff of Shelby county, were severally read the second time, and the constitutional rule being suspended, were read the third time forthwith and passed.

The Senate bill for the relief of Riley F. Perdue, was read the second time and referred to the Committee on the State Bank and Branches.

The bill to pay Joseph C. Broork, of Pike county, forty-seven dollars and thirty-eight cents, was read the second time and referred to the Committee on Accounts.

The bill for the relief of W. D. Collins, of Covington county, was read the second time.

Mr. Lea moved to amend as follows, which was adopted:

Provided, That he does so on his own account, and not as agent or co-partner of any other person, under penalty of five hundred dollars: *And provided also,* That he shall be confined to the county of Covington.

Mr. Shelley moved to amend as follows, which was lost:

Be it further enacted. That the provisions of this act be and the same are hereby extended to G. W. Pruitt. of the county of Talladega, and that he be confined in his peddling operations.

The hour of nine having arrived the House adjourned.

Friday, February 6, 1852.

The House met according to adjournment.

Mr. Lea, from the Committee on Ways and Means, reported a bill further to improve and regulate the revenue laws, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Cooper moved to amend by striking out the second proposition in the first section, and demanded the yeas and nays, and the motion prevailed. Yeas 52; nays 33.

Those who voted in the affirmative are, Messrs Adams, Allison, Armstrong, Austin, Bass, Benham. Boon. Bradford, Brown, Bulger, Byrd, Caffey, Clements, Cooper, Cox. Critcher, W. P. Davis, Goldsby, Gonder, N. S. Graham, Henderson, Kavanaugh, P. King, Liddell, Majors, Manasco, Moragne, McAllister, McMullen, Moss, Nicks, Pettey, Phillips, Prentice, Reaves, Roper, Rowe, Shelley, W. M. Smith, Staten, Stephens, Snowdon. Stone, Tarrant, Walker, Warren, Watkins, Webb, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Ashley, Banks, Beck, Benbow, Bussey, Carlisle, J. W. Davis, Nath. Davis, Nich. Davis, Freeman, Glover, W. C. Graham, Hall, Henshaw, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, M. A King, Lea, McCaskill, McCollum, Pool, Presley, Price, John Smith, Sterritt, S. Williams and Williamson.

Mr. Snowdon moved to reconsider the vote just taken, and the motion was lost.

Mr. Nath. Davis moved to amend by an additional section, as follows:

Sec. . *Be it further enacted,* That the tax collectors and assessors shall in person post up the notice now required by law, and if any tax collector or assessor shall fail or neglect to post up said notice himself, he shall not be authorised to demand and collect any extra compensation for the collection of the taxes.

Said amendment was, on motion of Mr. Whitsitt, laid on the table.

Mr. Nathaniel Davis moved to amend by striking out "fifty cents," and inserting "twenty cents," in the 7th section, and withdrew said amendment.

Mr. McCaskill moved to amend the 4th section, by adding "and for a billiard table $25 00," after ten pin alley, which was adopted.

Mr. Byrd moved to amend by an additional section, as follows:

SEC. That hereafter no hotel or tavern keeper shall be required to pay a license for keeping a house of entertainment, but shall pay the tax on their income, as now provided by law.

Mr. Nich. Davis called the previous question.

Mr. M. A. King demanded the yeas and nays, and the call was sustained. Yeas 38; nays 35.

YEAS.—Messrs. Speaker, Allen, Ashley, Austin, Bass, Benbow, Benham, Bussey, Caffey, Campbell, Carlisle, Cooper, Critcher, J. W. Davis, Nich. Davis, Freeman, Gladney, Goldsby, Gonder, W. C. Graham, Hall, Henderson, Henshaw, Hopkins, Howard, McCaskill, McMullen, Pool, Prentice, Price, Reaves, Roper, Rowe, Sterritt, Walker, Webb, Whitsitt, and P. Williams.

NAYS.—Messrs. Allison, Armstrong, Banks, Beck, Boon, Bradford, Brown, Bulger, Byrd, Cox, Nathaniel Davis, W. P. Davis, Earnest, N. S. Graham, Holley, F. S. Jackson, Kavanaugh, M. A. King, Liddell, Manasco, McAllister, McCollum, Moss, Nicks, Presley, John Smith, W. M. Smith, Staten, Stephens, Snowdon, Stone, Tarrant, Wallace, Warren, and Williamson.

The constitutional rule then being further suspended, the bill was read the third time, forthwith.

Mr. Brown demanded the yeas and nays on the passage thereof, and the House refused to pass said bill. Yeas 37; nays 42.

YEAS.—Messrs. Speaker, Allen, Banks, Beck, Benbow, Benham, Bradford, Bussey, Campbell, Carlisle, Clements, Cooper, Nath'l Davis, Nich. Davis, W. P. Davis, Glover, Goldsby, Hall, Henderson, Hopkins, Howard, Jones, McCaskill, Oates, Phillips, Pool, Price, Rowe, John Smith, Sterritt, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams.

NAYS—Messrs. Adams, Allison, Armstrong, Ashley, Austin, Bennett, Boon, Bulger, Byrd, Caffey, Cox, Critcher, J. W. Davis, W. C. Graham, Holley, F. S. Jackson, Kavanaugh, M. A. King, P. King, Liddell, Majors, Manasco, Moragne, McAllister, McCollum, McMullen, Moss, Nicks, Pettey, Prentice, Presley, Reaves, Shelley, W. M. Smith, Staten, Stephens, Snowdon, Tarrant, Warren, Williamson and Wilson.

The hour of 12 M. having arrived, the House proceeded to the special order, it being the bill to submit the penitentiary system to the voice of the people.

The question recurred on the motion to lay the bill on the table.

Mr. McMullen demanded the yeas and nays, and the motion prevailed. Yeas 52; nays 27.

YEAS—Messrs. Speaker, Allen, Allison, Ashley, Beck, Benbow, Benham, Byrd, Caffey, Carlisle, Cooper, Nath'l Davis, W. P. Davis, Earnest, Freeman, Glover, Gonder, Hall, Hopkins, Howard, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Majors, Moragne, McAllister, McCaskill, Moss, Nicks, Oates, Phillips, Price, Reaves, Robinson, Rowe, Shelley, Shorter, Stephens, Sterritt, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

NAYS—Messrs. Adams, Armstrong, Banks, Bennett, Boon, Brown, Bulger, Clements, Cox, Critcher, J. W. Davis, W. C. Graham, Henderson, Holley, F. S. Jackson, Manasco, McCollum, McMullen, Pettey, Pool, Prentice, Presley, John Smith, W. M. Smith, Staten, Snowdon and Warren.

On motion of Mr. Gonder, the vote rejecting the revenue bill was reconsidered.

On motion of Mr. Nich. Davis, the vote sustaining the previous question was reconsidered.

Mr. Byrd moved to reconsider the vote ordering said bill to a third reading.

Mr. Moss moved to postpone said motion to 3 P. M. of this afternoon, which was lost.

The question recurred on Mr. Byrd's motion, and the same prevailed.

Mr. Bulger moved to postpone until 7 o'clock, P. M. of this day.

Mr. Nath'l Davis moved to postpone until 10½ o'clock, A. M., of to-morrow, and said motion prevailed.

Mr. Gonder moved to reconsider the vote just taken, the motion prevailed, and

Mr. Davis withdrew his motion.

The question recurred on Mr. Bulger's motion, and he withdrew the same.

On motion of Mr. Jones, the bill was postponed, and made the special order for the hour of 3 P. M. this afternoon.

Mr. Lea, from the Committee of Ways and Means, reported back the bill making appropriations for the years 1852–3.

Mr. Stone moved to amend as follows:

And be it further enacted, That the State Treasurer shall be entitled to receive for his salary the sum of fifteen hundred dollars annually, beginning on the 27th day of January, 1852, payable quarterly, upon the comptroller's warrant for the same.

Mr. Manasco called the previous question, which was lost.

The question recurred on Mr. Stone's amendment.

Mr. Manasco demanded the yeas and nays, and the amendment was lost. Yeas 24; nays 46.

Those voting in the affirmative are, Messrs. Speaker, Allison, Ashley, Nathaniel Davis, W. P. Davis, Gonder, N. S. Graham, Hall, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Liddell, Moragne, Shorter, Stephens, Sterritt, Stone, Walker, Wallace, Whitsitt, P. Williams and S. Williams.

NAYS—Messrs. Adams, Allison, Armstrong, Austin, Banks, Beck, Benbow, Bennett, Brown, Bradford, Boon, Bulger, Bussey, Byrd, Caffey, Cooper, Cox, Critcher, J. W. Davis, Earnest, Goldsby, Henderson, Jones, Kavanaugh, M. A. King, Lea, Majors, Manasco, McCollum, McMullen, Nicks, Pool, Prentice, Presley, Reaves, Shelley, John Smith, W. M. Smith, Staten, Snowdon, Tarrant, Warren, Watkins, Webb, Williamson and Wilson.

The constitutional rule being then suspended, the bill was read the third time forthwith and passed.

Mr. Lea, from the same committee, reported back the bill defining certain duties of the owners, proprietors and agents of warehouses and rail road depots, without amendment.

Mr. Jones moved to amend by striking out of the last section that which relates to indictments.

Mr. Williamson moved to lay the bill and amendment on the table, and withdrew said motion.

Mr. Jones' amendment was lost.

Mr. Williamson moved to lay the bill on the table.

Mr. Presley demanded the yeas and nays, and the motion was lost. Yeas 13; nays 50.

YEAS—Messrs. Speaker, Austin, Beck, Byrd, J. W. Davis, W. C. Graham, Moss, Phillips, Shorter, Sterritt, Wallace, Whitsitt and Williamson.

NAYS—Messrs. Allen, Allison, Ashley, Banks, Boon, Brown, Bulger, Caffey, Carlisle, Cooper, Cox, Critcher, Nathaniel Davis, Goldsby, Gonder, N. S. Graham, Hall, Hendree, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, Jones, Kavanaugh, Lea, Liddell, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Pool, Presley, Reaves, Rowe, Shelley, J. Smith, W. M. Smith, Staten, Stephens, Snowdon, Stone, Tarrant, Warren, Watkins, P. Williams and S. Williams.

The hour of 1 having arrived, the house adjourned.

AFTERNOON SESSION, February 6, 1852.

The House met and resumed the consideration of tee bill further to equalise and improve the revenue laws.

Mr. Lea moved to amend the first section by adding the following thereto: "On all moneys which is purposely kept out at interest, whether lent to persons, corporations or companies, in or out of this State, in any form or manner, and whether the evidence of such indebtedness is annually or otherwise renewed or not, and on which tax is not paid in some other form or revenue to the State annually, the same rate shall be annually assessed and paid as on money loaned out at or under the legal rate of interest, that is to say, for each hundred dollars, and at that rate, twenty-five cents."

Said amendment was adopted.

Mr. Nathaniel Davis, to amend as follows: "That the law in relation to the tax on auction sales shall not be construed to apply to sales of land and negroes which have been regularly assessed and taxes paid thereon for the fiscal year preceding, or including the said auction sales, and which are the bone fide property of citizens of this State or citizens of other States, having used said property in this State and paid tax thereon," and the same was lost. Yeas 27; nays 33.

YEAS—Messrs. Speaker, Adams, Armstrong, Austin, Benbow, Boon, Bulger, Cox, Critcher, Nathaniel Davis, W. P. Davis, Henderson, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Manasco, McAllister, McCollum, Moss, Nicks, Shelley, Staten, Walker, Whitsitt, P. Williams and S. Williams.

NAYS—Messrs. Allison, Ashley, Bass, Benham, Brown, Caffey, Carlisle, J. W. Davis, Earnest, Hendree, Holley, Hopkins, P. King, Lea, McCaskill, McMullen, Oates, Pettey, Pool, Prentice, Price, Reaves, Rowe, John Smith, W. M. Smith, Sterritt, Snowdon, Tarrant, Wallace, Warren, Watkins, Webb and Williamson.

Mr. Brown moved to amend as follows:

That slaves shall be taxed twenty cents on each hundred dollars' worth of their value, to be ascertained by the oath of their owner before the assessor.

Which, on motion of Mr. Lea, was laid on the table.

Mr. Coleman moved to amend by a clause repealing the law requiring tax payers to give in the number of their land, and that they shall only be required to say on oath what their lands are worth, and also making the lands of non-residents not given in, liable to double tax; and making it the duty of tax assessors to assess such land, and that if the tax on the same is not paid, said land to be exposed to sale as the law now requires.

Mr. Whitsitt called the previous question, and the motion was lost.

On motion of Mr. Seaborn Williams, Mr. Coleman's amendment was laid on the table.

Mr. Manasco moved to amend by striking out of the bill so much as authorises or requires the tax on lands divided by a county line to be given in in the counties in which each parcel is situated, and the motion was lost.

Mr Cox moved to strike out the tax on bowie knives and pistols, and the motion was lost.

Mr. Bulger moved to strike out "50 cents" in the 7th section.

Mr. F. S. Jackson demanded the yeas and nays, and the motion was lost. Yeas 17; nays 58.

YEAS—Messrs. Adams, Armstrong, Austin, Brown, Bulger, Caffey, Cox, Nath. Davis, W. C. Graham, F. S. Jackson, Liddell, Majors, Manasco, McCollum, Nicks, Presley, Warren.

NAYS.—Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Beck, Benbow, Benham, Boon, Bradford, Bussey, Carlisle, Clements, Coleman, J. W. Davis, Nich. Davis, W. P. Davis, Earnest, Glover, Hall, Henderson, Hendree, Holley, Hopkins, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Lea, McAllister, McCaskill, McMullen, Moss, Oates, Pettey, Pool, Prentice, Price, Reaves, Robinson, Rowe, John Smith, W. M. Smith, Staten, Sterritt, Snowdon, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

Mr. F. S. Jackson moved to postpone said bill to the 9th of February, and demanded the yeas and nays thereon, and the motion was lost. Yeas 8; nays 67.

YEAS—Messrs. Boon, Brown, Cox, F. S. Jackson, Manasco, McCollum, Nicks, Shelley.

NAYS—Messrs. Speaker, Adams, Allison, Allen, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Benham, Bradford, Carlisle, Clements, Coleman, J. W. Davis, Nath. Davis, Nich. Davis, W. P. Davis, Earnest, Glover, W. C. Graham, Hall, Henderson, Hendree, Holley, Hopkins, Howard, J. W. W. Jackson, Jones, Kavanaugh, M. A. King, P. King, Lea, Majors, Moragne, McAllister, McCaskill, McMullen, Moss, Oates, Pettey, Phillips, Pool, Prentice, Price, Reaves, Robinson, Rowe, John Smith, W. M. Smith, Staten, Sterritt, Snowdon, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

Mr. Bulger moved to amend by proviso:

That no assessor or collector shall be entitled to charge or receive any compensation for visiting the residence of any tax payer for the purpose of assessing or collecting their taxes, until he shall have advertised, and attended twice at the company muster ground of each beat in his county, and demanded the yeas and nays thereon, and the amendment was lost. Yeas 26; nays 44.

YEAS—Messrs. Adams, Armstrong, Beck, Brown, Bulger, Bussey, Caffey, Cox, N. S. Graham, Hall, Henshaw, F. S. Jackson, Jones, M. A. King, Majors, Manasco, McCollum, Nicks, Oates, Reaves, Rowe, W. M. Smith, Walker, Warren, Watkins and Williamson.

NAYS—Messrs. Speaker, Allen, Allison, Austin, Banks, Bass, Benham, Boon, Bradford, Carlisle, Clements, Coleman, J. W. Davis, Nich. Davis, W. P. Davis, Earnest, Glover, W. C. Graham, Henderson, Hendree, Holley, Hopkins, Howard, J. W. W. Jackson, Kavanaugh, P. King, Lea, McCaskill, McMullen, Pool, Prentice, Price, John Smith, Staten, Stephens, Sterritt, Snowdon, Tarrant, Wallace, Webb, Whitsitt, P. Williams, S. Williams and Wilson.

The constitutional rule being then suspended, the bill was read the third time forthwith.

Mr. Brown demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 50; nays 30.

YEAS—Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Benbow, Benham, Bradford, Bussey, Carlisle, Clements, Nath'l Davis, Nich. Davis, W. P. Davis, Earnest, Gladney, Glover, W. C. Graham, Hall, Henderson, Hendree, Henshaw, Hopkins, Howard, J. W. W. Jackson, Jones, P. King, Lea, McAllister, McCaskill, McMullen, Phillips, Pool, Presley, Price, Reaves, Robinson, Rowe, Sterritt, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

NAYS—Messrs. Adams, Armstrong, Austin, Boon, Brown, Bulger, Caffey, Coleman, Cox, Critcher, J. W. Davis, N. S. Graham, Holley, F. S. Jackson, Kavanaugh, M. A. King, Majors, Manasco, McCollum, Nicks, Oates, Pettey, Prentice, John Smith, W. M. Smith, Staten, Stephens, Snowdon, Warren and Wilson.

Mr. Nath. Davis moved to suspend the regular business to take up a bill to regulate sales by sheriffs, executors, &c.

A great number of similar motions were made from all parts of the House, with such rapidity that the clerk was unable to note them on his brief, when

Mr. Nath'l Davis moved the previous question, and the call was not sustained.

And the original motion was lost.

The following bills from the Senate:

To repeal a certain act named therein: and

To make permanent the court house in Coosa county:

Were severally read, and ordered to a second reading.

The Senate bill to amend the laws regulating the Board of Mobile School Commissioners, was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Price Williams moved to amend by additional sections, which were adopted, and the rule being further suspended, said bill was read a third time forthwith and passed.

The Senate bill for State apportionment was read, and Mr. Hall moved to lay the bill on the table, which was lost.

Mr. Manasco moved to postpone said bill until the 10th of February.

On motion of Mr. Price Williams, the vote refusing to lay said bill on the table was reconsidered.

The question recurred on Mr. Manasco's motion, which was lost, and the bill was laid on the table.

The Senate bill to regulate charges for advertising by sheriffs and other officers of this State, was read, and the constitutional rule being suspended, was read the second time forthwith, and referred to the Committee on the Judiciary.

The Senate bill to define the liability of securities when stays of execution are granted, was read, and the House refused to order the same to a second reading.

The Senate bills to enlarge the powers of the corporate authorities of the town of Oak Bowery, and to abolish monthly justices' courts in Marshall county, were severally read; and the constitutional rule being suspended, were read the second and third times forthwith and passed.

The hour of 5 P. M. having arrived, the House adjourned.

NIGHT SESSION, February 6, 1852.

The House met pursuant to adjournment.

The bill from the Senate to repeal in part an act providing for the more effectual prosecuting persons trading with slaves, approved 7th February, 1850, was read; and the constitutional rule being suspended, was read the second and third times forthwith.

Mr. Critcher demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 48; nays 28.

YEAS—Messrs. Speaker, Allison, Armstrong, Ashley, Austin, Bass, Benbow, Boon, Booth, Bradford, Brown, Bussey, Caffey, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nicholas Davis, Earnest, Goldsby, W. C. Graham, Hendree, Henshaw, Holley, F. S. Jackson, Kavanaugh, M. A. King, P. King, Lea, Majors, McAllister, McCollum, McMullen, Presley, Reaves, Rowe, Shelley, John Smith, Stephens, Sterritt, Snowden, Wallace, Watkins, Williamson, Wilson and Woolsey.

NAYS—Messrs. Adams, Allen, Banks, Beck, Benham, Bulger, W. P. Davis, Gladney, N. S. Graham, Henderson, Hopkins, J. W. W. Jackson, Liddell, Moragne, McCaskill, Nicks, Oates, Pettey, Pool, Roper, W. M. Smith, Stone, Tarrant, Walker, Warren, Webb, Whitsitt and S. Williams.

Mr. Brown moved to suspend the order to take up the bill to improve the navigation of the Battahatchie river.

Mr. Whitsitt demanded the yeas and nays, and the motion prevailed. Yeas 67; nays 7.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Benham, Boon, Booth, Bradford, Brown, Bulger, Bussey, Caffey, Carlisle, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nathaniel Davis, Nicholas Davis, W. P. Davis, Earnest, Gladney, Goldsby, N. S. Graham, W. C. Graham, Henderson, Hendree, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, P. King, Liddell, Majors, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Presley, Price, Robinson, Roper, John Smith, W. M. Smith, Stephens, Sterritt, Snowdon, Stone, Tarrant, Walker, Warren, Watkins, Webb, Williamson, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Allison, M. A. King, Pool, Reaves, Rowe and Whitsitt.

Said bill was accordingly taken up.

Mr. Brown moved to strike out $10,000 and insert $5,000.

Mr. Oates called a division of the question, and the vote was first taken on striking out and carried; second, to fill the blank with $5,000, and carried.

The constitutional rule being suspended, said bill was read the third time forthwith.

Mr. Oates demanded the yeas and nays on the passage thereof, and the House refused to pass said bill. Yeas 34; nays 36.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Benbow, Benham, Brown, Bulger, Caffey, Coleman, Cox, Cooper, Critcher, Nicholas Davis, W. P. Davis, Earnest, Goldsby, N. S. Graham, W. C. Graham, Henderson, Hendree, Holley, F. S. Jackson, J. W. W. Jackson, Liddel, Moragne, McCollum, McMullen, Nicks, Pettey, Robinson, John Smith, Snowdon, Warren, Watkins and Woolsey.

Those who voted in the negative are, Messrs. Allen, Allison, Ashley, Austin, Banks, Boon, Booth, Bradford, J. W. Davis, Nicholas Davis, Gonder, Henshaw, Hopkins, Kavanaugh, M. A. King, Lea, McCaskill, Oates, Pool, Presley, Price, Reaves, Roper, Rowe, W. M. Smith, Stephens, Sterritt, Stone, Tarrant, Walker, Wallace, Webb, Whitsitt, S. Williams, Williamson and Wilson.

Mr. Hendree moved to suspend the orders to take up the bill to distribute the two per cent. among the several counties.

Mr. Whitsitt demanded the yeas and nays, and the motion was lost. Yeas 37; nays 38.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Benbow, Boon, Booth, Brown, Bulger, Caffey, Carlisle, Coleman, Cox, J. W. Davis, Nathaniel Navis, Nicholas Davis, N. S. Graham, W. C. Graham, Henderson, Hendree, Holley, F. S. Jackson, J. W. W. Jackson, P. King, Liddell, Majors, Manasco, Moragne, McCollum, McMullen, Nicks, Pettey, Pool, Presley, Reaves, Rowe, Shelley, Snowdon and Tarrant.

Those who voted in the negative are, Messrs. Allen, Armstrong, Adams, Austin, Banks, Bass, Beck, Benham, Bradford, Cooper, Critcher, W. P. Davis, Gladney, Goldsby, Hopkins, Kavanaugh, M. A. King, Lea, McAllister, McCaskill, Oates, Phillips, Price, Robinson, Roper, W. M. Smith, Stephens, Sterritt, Stone, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, S. Williams, Wilson and Woolsey.

Mr. Robinson moved to suspend the orders to take up the Senate bill to consolidate the 16th section fund, and demanded the yeas and nays thereon, and the motion was lost. Yeas 29, nays 45.

Those who voted in the affirmative are, Messrs. Armstrong, Austin, Benbow, Benham, Brown, Bussey, Coleman, Cox, J. W. Davis, N. S. Graham, Henderson, Hendree, Holley, F. S. Jackson, J. W. W. Jackson, Liddell, Majors, Moragne, McAllister, Mc-

Mullen, Nicks, Oates, Phillips, Robinson, Shelley, Snowdon, Stone, Tarrant and Warren.

Those who voted in the negative are, Messrs Speaker, Allen, Adams, Allison, Ashley, Banks, Bass, Beck, Boon, Booth, Bradford, Bulger, Caffey, Carlisle, Cooper, Nath'l Davis, Nich. Davis, Gladney, Goldsby, Gonder, W. C. Graham, Henshaw, Hopkins, Kavanaugh, M. A. King, Manasco, McCaskill, McCollum, Presley, Price, Reaves, Roper, Rowe, W. M. Smith, Sterritt, Walker, Wallace, Watkins, Webb, Whitsitt, S. Williams, Williamson, Wilson and Woolsey.

Mr. Wilson, from the committee on accounts, by leave, reported back the bill to pay Joseph C. Brooks, of Pike county, forty-seven dollars and twenty-eight cents, without amendment, and the constitutional rule being suspended, said bill was read the third time, forthwith, and passed.

Mr. Wilson, from the same committee, reported bills to provide for the payment of certain claims against the State, for servant hire and sundry articles for the use of the General Assembly, and,

For the payment of certain claims against the State.

Said bills were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

Mr. J. W. W. Jackson, from the committee on the State bank and branches, reported a substitute for the bill for the relief of the estate of William W. McLester, which was adopted, and the constitutional rele being suspended, said bill was read the third time forthwith and passed.

The Senate bills:

To authorize the commissioners' court of the county of Washington, to levy a special tax.

To alter and amend the second section of an act approved February 3d, 1846:

To incorporate the Macon county Plank Road Company:

To repeal in part an act to provide for the incorporation to construct McAdamised, graded, wooden, rail roads or plank roads, approved, 12th February, 1850.

Were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

The Senate bill to authorize the commissioners' court of Fayette county to levy a special tax to rebuild the court house in said county, was read, and on motion of Mr. McCollum, was laid on the table.

The House concurred in the Senate's amendments to the following bills:

To change the names of certain persons therein named, and for other purposes:

To establish a Homœpathic Medical Society in the city of Montgomery, and, Supplemental to an act, to amend the city charter of Montgomery, approved January 17th. 1852.

The Senate bill for the relief of the deaf and dumb in the State of Alabama, was read, and the constitutional rule being suspended, was read the second and third times, forthwith.

Mr. Stephens demanded the yeas and nays on the passage thereof, and the bill passed. Yeas 59, nays 1.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Ashley, Banks, Bass, Beck, Benham, Benbow, Boon, Booth, Bradford, Brown, Carlisle, Coleman, J. W. Davis, Nicholas Davis, Earnest. Gonder, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, P. King, Lea, Liddell, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Pettey, Phillips, Pool, Reaves, Roper, John Smith, W. M. Smith, Sterritt, Snowdon, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson, Wilson and Woolsey.

Mr. Stephens voted in the negative.

On motion of

Mr. Price Williams, the vote referring the bill to regulate charges for advertising by sheriffs and other officers of the State, was reconsidered, and the bill was read the third time, under a suspension of the constitutional rule, and passed.

The Senate bills:

To incorporate the city of Selma, and,

To incorporate the town of Daleville and the Daleville Masonic Academy, in Dale county.

Were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith. and passed.

The Senate bill to renew and extend the time of payment of certain State bonds therein named, and the bill to regulate the transfer of stock in Banks, Insurance Companies and Railroads, were severally read the second time, and the constitutional rule being suspended, were read the third time, forthwith and passed.

The Senate bill supplementary to the Code, was read, and the constitutional rule being suspended, was read the second and third times, forthwith.

Mr. Bulger moved to lay the bill on the table, and demanded the yeas and nays thereon, and the motion was lost. Yeas 7, nays 50.

Those who voted in the affirmative are, Messrs. Adams, Bulger, Cox, Henderson, Manasco, McCollum and Pettey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Ashley, Banks, Bass. Beck, Benbow, Benham, Boon, Brown, Cooper, J. W Davis, Nath. Davis, Gladney, Gonder, N. S. Graham, W. C. Graham, Holley, Hopkins, Kavanaugh, M. A. King, P. King, Lea, Majors, Moragne, McCaskill, McMullen, Phillips, Pool, Presley, Reaves, Roper, Rowe, John Smith, W. M. Smith, Stephens, Sterritt, Snowdon, Stone, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson

Mr. Adams moved to amend by engrossed rider, which was read, providing that the Code should not go into operation until a majority of the voters of the State shall vote in its favor, at an election to be held the second Monday in May, 1853; which election shall be held in all the counties of the State; and those voting in favor of said Code shall write upon their ticket the word "yea," and those opposed to it "nay," and the sheriffs of the different counties shall return the same to the Governor within thirty days thereafter, who, with the Secretary of State, shall examine the returns, and if a majority shall have voted in favor of the same, then said Code shall be adopted and considered as the law of the State.

Mr. Webb moved to lay said amendment on the table.

Mr Adams demanded the yeas and nays, and the motion prevailed. Yeas 35; nays 22.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Banks, Bass, Beck, Benham, Bulger, Carlisle, Nath. Davis, Gondor, N. S. Graham, W. C. Graham, Hopkins, J. W. W. Jackson, M. A. King, P. King, Lea, McCaskill, Phillips, Pool, Presley, Reaves, Roper, Rowe, Sterritt, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams and S. Williams.

Those who voted in the negative are, Messrs. Adams, Austin, Benbow, Boon, Brown, Cox, J. W. Davis, Henderson, Holley, Kavanaugh, Liddell, Majors, Manasco, McCollum, McMullen, Nicks, Pettey, John Smith, W. M. Smith, Stephens, Snowdon and Stone.

Mr. Webb moved to reconsider the vote just taken.

Wr. Adams moved to adjourn, and demanded the yeas and nays, and the motion was lost. Yeas 18; nays 43.

Those who voted in the affirmative are, Messrs. Adams, Benham, Boon, Brown, Bulger, Cox, Henderson, Majors, Manasco, Moragne, McCollum, McMullen, Nicks, Pettey, W. M. Smith, Stephens, Snowdon and Warren.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Carlisle, Cooper, J. W. Davis, Nath. Davis, Gladney, Gondor, W. C. Graham, Holley, Hopkins, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A King, P. King, Lea, McCaskill, Phillips, Pool, Presley, Reaves, Roper, Rowe, John Smith, Sterritt, Stone, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Mr. Webb's motion was lost.

Mr. Cox moved to adjourn, which was lost.

Mr. Adams moved to postpone the bill under consideration, and to make it the special order for the hour of 10½ o'clock on to-morrow, and demanded the yeas and nays.

Mr. Cox moved to adjourn, and demanded the yeas and nays thereon, and the motion was lost. Yeas 15; nays 41.

Mr. M. A King called the previous question. The question recurred on Mr. Adams' motion to postpone until 10½ to-morrow, and the motion was lost. Yeas 24; nays 31.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Austin, Banks, Boon, Brown, Bulger, Cooper, Cox, J. W. Davis, Nath. Davis, J. W. W. Jackson, Kavanaugh, Liddell, Majors, Manasco, McCollum, McMullen, Nicks, Pettey, W. M. Smith, Snowdon and Warren.

Those who voted in the negative are, Messrs. Armstrong, Ashley, Bass, Beck, Benbow, Benham, Earnest, Gondor, W. C. Graham, Holley, Hopkins, F. S. Jackson, M. A. King, P. King, Lea, McCaskill, Phillips, Pool, Presley, Reaves, John Smith, Sterritt, Tarrant, Walker, Wallace, Watkins, Webb, Whitsitt, S. Williams and Williamson.

The previous question was sustained.

Mr. Bulger moved to adjourn, and demanded the yeas and nays, and the motion was lost. Yeas 7; nays 48.

Those who voted in the affirmative are, Messrs. Adams, Brown, Bulger, Cox, Moragne, McCollum, McMullen and Pettey.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Ashley, Austin, Banks, Bass, Beck, Benbow, Benham, Boon, Carlisle, Cooper, J. W. Davis, Nath. Davis, Gondor, N. S. Graham, W. C. Graham, Holley, Hopkins, F. S. Jackson, Kavanaugh, M. A. King, P. King, Lea, Liddell, Majors, Manasco, McCaskill, Phillips, Pool, Presley, Reaves, John Smith, W. M. Smith, Sterritt, Snowdon, Tarrant, Walker, Wallace, Walton, Warren, Watkins, Webb, Whitsitt, S. Williams and Williamson.

And the bill passed.

Mr. Coeper presented a petition of the citizens of Cedar Bluff, which was referred to the Committee on Ways and Means.

And at 11 o'clock, p. m., the House adjourned.

SATURDAY, February, 7, 1852.

The House met pursuant to adjournment.

Mr. Jones presented the petition of James Chiles, et al., which was referred to the committee on Propositions and Grievances.

Mr. Speaker announced the committee on the part of the House on the subject of a Lunatic Asylum, as follows: 1st circuit, Porter King; 2d, Woolsey; 3d, Webb; 4th, Armstrong; 5th, Allen; 6th, Phillips; 7th, Whitsitt; 8th, McAllister; 9th, Walton.

Mr. Coleman, from the committee on retrenchment, reported adversely to the resolution in relation to reducing the fees of all the officers of this State, inasmuch as the Code provides therefor, and the report was concurred in.

The following bills reported back heretofore by Mr. Phillips, from the committee on Internal Improvement, were on motion of Mr. Wilson, severally laid on the table, to-wit:

To aid in the construction of the Montgomery South Plank Road:

To aid in clearing out obstructions in Sipsey river:

To remove obstructions in Lost river:

To remove obstructions in the Choctawhatchie river:

To improve the navigation of Alabama, Little Bigby and Warrior rivers:

In aid of the Wills' Valley Railroad:

To loan a portion of the two per cent. fund to the Memphis and Charleston Railroad Company:

To remove obstructions to the navigation of the Upper Coosa:

To appropriate $20,000 of the three per cent. fund to the improvement of the Conecuh river.

Mr. F. S. Jackson, from the committee on Internal Improvements, reported adversely to the bill explanatory of an act to dispose of the unappropriated portion of the two per cent. fund, and moved to lay the report on the table.

The motion was lost and the report was concurred in.

Mr. Goldsby, from the committee on Propositions and Grievances, reported a bill to repeal a certain section of an act therein named, which was read, and on motion of Mr. Goldsby, was laid on the table.

Mr. Goldsby, from the same committee, reported a bill to compensate Andrew Poor and Murphy Douglass, for certain losses and expenditures, &c., which was read.

Mr. Nath'l Davis moved to postpone said bill until Monday next, and the motion was lost; and on motion of Mr. Reaves, the bill and report were laid on the table.

Mr. Williamson moved to reconsider the vote concurring in the report made by Mr. F. S. Jackson, on this morning, and the motion was lost.

Messrs. Watkins, Woolsey, Banks, Hopkins, Earnest and Beck, were added to the committee on enrolled bills.

Mr. Rowe, from the committee on County Boundaries, reported back the bill to attach a part of Benton to Talladega county, without amendment, and on motion of Mr. Liddell, the bill and report were laid on the table.

Mr. Presley, from the committee on Accounts, reported adversely to the account of Isaac P. Pollard, and,

Mr. Reaves, from the same committee, reported adversely to the account of Charles Simpson.

Said reports were severally concurred in.

Bills were introduced by:

Mr. Bennett, to require the early publication of the head notes of the decisions of the Supreme Court:

Mr. Shelley, to incorporate the Alabama and Mississippi Telegraph Company:

Mr. F. S. Jackson, to establish a certain road therein named:

Mr. F. S. Jackson, for the relief of George W. Matthews:

Mr. Wallace, to authorize the Tuskaloosa Plank Road Companay to borrow money:

Mr. Austin, to change the names of certain persons therein named.

Said bills were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

Mr. Beck, from the committee on Federal Relations, reported back the joint resolutions opposing the principle of intervention with foreign powers, and asked to be discharged, inasmuch as resolutions on the same subject from the Senate, have already passed the House.

Said report was concurred in.

Mr. Stone introduced a bill to regulate the sale of cotton by commission merchants, which was read, and the constitutional rule being suspended, was read the second time, forthwith, and referred to the committee on the Judiciary.

The Senate bill to provide for leasing the penitentiary, was read the third time.

Mr. Staten demanded the yeas and nays, on the passage thereof, and the bill passed. Yeas 61, nays 7.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Ashley, Austin, Bass, Banks, Beck, Benbow, Bennett, Boon, Booth, Bradford, Bulger, Caffey, Carlisle, Clements, Cox, J. W. Davis, Nath'l Davis, Earnest, Gladney, Glover, N. S. Graham, W. C. Graham, Hall, Henderson, Holley, Hopkins, Howard, J. W. W. Jackson, M. A. King, Lea, Liddell, Manasco, Moragne, McCaskill, Moss, Oates, Pettey, Phillips, Pool, Presley, Price, Reaves, Robinson, Roper, Rowe, Shelley, Shorter, John Smith, W. M. Smith, Sterritt, Stone, Tarrant, Watkins, Webb, Whitsitt, S. Williams and Wilson.

Those who voted in the negative are, Messrs Brown, Cooper, Critcher, F. S. Jackson, McCollum, McMullen and Staten.

The engrossed bills:

To change the boundary line between the counties of Monroe and Conecuh:

To make the governor of the State of Alabama, ex officio president of the State Agricultural Society:

To prevent the sale of spirituous liquors to free persons of color:

To authorize the governor to purchase books to supply the loss by fire in the burning of the capitol:

To require additional duties of clerks of circuit courts of this State, &c.

Were severally read the third time and passed.

The engrossed bill relating to slaves and free persons of color, was read the third time, and the House refused to pass the same.

The joint resolution proposing amendments to the constitution, were read the third time, and passed, and sent forthwith to the Senate.

On motion of

Mr. ———, the vote by which the bill to change the time of holding the spring term of the circuit court of Sumter county passed, was reconsidered, and the House refused to pass said bill.

The engrossed bill to amend the act approved 12th February, 1850, to authorize and regulate the business of banking, was read the third time.

Mr. Phillips moved to amend by engrossed rider, which was read three several times, and adopted, and the bill passed.

The bill to attach a portion of the county of Pickens to the county of Greene, was read the second time.

The question recurred on the amendment offered by Mr. Lea, on the 24th January.

Mr. Jones moved to lay the amendment on the table.

Mr. Whitsitt moved to lay the bill and amendment on the table.

Mr. Webb demanded the yeas and nays, and the motion prevailed. Yeas 46; nays 14.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Austin, Banks, Bass, Benbow, Benham, Boon, Bradford, Bulger, Caffey, Carlisle, Clements, Nathaniel Davis, Earnest, Glover, Hall, Hendree, Henderson, Henshaw, Holley, Howard, Jones, Kavanaugh, M. A. King, Majors, McCaskill, McCollum, McMullen, Moss, Nicks, Oates, Pool, Prentice, Reaves, Robinson, Roper, Jno. Smith, W. M. Smith, Staten, Stephens, Tarrant, Whitsitt, P. Williams, S. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison, Armstrong, Ashley, Hopkins, F. S. Jackson, Lea, Manasco, Rowe, Shelley, Sterritt, Walker, Wallace, Watkins and Webb.

The following bills were severally read the second time and laid on the table:

To repeal in part an act providing for the more effectual prosecution of persons trading illegally with slaves, approved 7th of February, 1850:

To regulate the sale of bagging:

To authorise the issuance of license for keeping billiard tables and ten pin alleys for the term of six months in certain cases:

To improve the navigation of Big Bear Creek:

Exempting millers from working on roads:

To amend an act to regulate the appointment of administrators of insolvent estates, approved February 18, 1848:

The joint resolution in relation to absent members of the legislature:

To regulate the issuing of license to retail in the county of Covington:

For removing obstructions in the Cahaba river:

For the better regulation of presentments before grand juries in this State, &c.

The bill to require the governor to reside at the seat of government, was read the second time.

Mr. Bulger moved to amend by allowing the governor $600 for house rent.

Mr. Clements moved to lay the bill and amendment on the table.

Mr. F. S. Jackson demanded the yeas and nays, and the motion prevailed. Yeas 54; nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Armstrong, Ashley, Bass, Banks, Benham, Bennett, Bradford, Brown, Bulger, Caffey, Carlisle, Clements, Cooper, Cox, Nathaniel Davis, W. P. Davis, Gladney, Glover, N. S. Graham, W. C. Graham, Henshaw, Howard, J. W. W. Jackson, Jones, Kavanangh, M. A. King, Lea, Manasco, Moragne, McCaskill, McCollum, Moss, Oates, Phillips, Pool, Prentice, Presley, Price, Reaves, Roper, Staten, Stephens, Sterritt, Stone, Turner, Walker, Wallace, Watkins, Webb, Whitsitt, P. Williams and Wilson.

Those who voted in the negative are, Messrs. Allison, Benbow, Boon, J. W. Davis, Earnest, Gonder, Hall, Henderson, Holley, Hopkins, F. S. Jackson, McMullen, Nicks, Rowe, Shelley, John Smith, W. M. Smith, G. W. Williams, S. Williams and Woolsey.

The bill to compel plaintiffs to give security for costs in certain cases, was read the second time and referred to the Committee on the Judiciary:

The bills:

To regulate the sales by administrators, executors, guardians, sheriffs, registers and tax collectors, and

To repeal in part an act therein named:

Were severally read the third time and passed.

The Senate bills:

To authorise the governor to furnish the Tuskegee Classical and Scientific Institute with artillery, and

To authorise the extension of debts now due, or to become due the different 16th section funds in this State:

Were severally read the second time, and the constitutional rule being suspended, were read the third time forthwith and passed.

The bill to aid the Alabama and Tennessee River Rail Road Company was read the second time.

Mr. Liddell moved to amend by substitute, which on motion of Mr. Walker, was laid on the table.

And on motion of Mr. Williamson, the bill was laid on the table.

The bill declaring a certain creek therein named a public highway, and

The Senate bill to prescribe and define the liabilities of chancellors for neglect of duty,

Were severally read the second time, and the House refused to order the same to a third reading.

The Senate bill to regulate the duties and payment of the quartermaster general of this State, &c., was referred to the Committee on the Military.

Mr. Pettey introduced a bill to promote the comfort and ensure the happiness of the members of the Legislature and of the citizens of Montgomery, which was read; and the constitutional rule being suspended, was read the second time forthwith.

Mr. Moss moved to amend by striking out the preamble.

On motion of Mr. M. A. King, the bill was laid on the table.

Mr. Nathaniel Davis moved to suspend the rule requiring the House to meet at 7 o'clock.

Mr. Price Williams demanded the yeas and nays, and the motion was lost. Yeas 12: nays 53.

Those who voted in the affirmative are, Messrs. Allison, Boon, Cox, J. W. Davis, Nathaniel Davis, N. S. Graham, Hall, Jones, Majors, Manasco, McCollum and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allen, Armstrong, Austin, Banks, Bass, Beck, Benbow, Booth, Bulger, Caffey, Carlisle, Clements, Cooper, Critcher, Earnest, Gladney, Goldsby, W. C. Graham, Henderson, Henshaw, Hendree, Holley, Hopkins, Howard, F. S. Jackson, J. W. W. Jackson, M. A. King, Lea, McCaskill, McMullen, Oates, Pool, Presley, Price, Reaves, Shelley, Shorter, W. M. Smith, Staten, Stephens, Sterritt, Tarrant, Walker, Wallace, Warren, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Woolsey.

The Senate bill to change the fees of solicitors in certain cases, was read the second time.

Mr. McCollum moved to lay the bill on the table, and the motion was lost.

Mr. Armstrong moved to amend by striking out all that relates to assaults and batteries.

Pending which the hour of 1 P. M. having arrived, the House adjourned.

Afternoon Session, February 7, 1852.

The House met and resumed the consideration of the bill to change the fees of solicitors in certain cases.

Mr. Armstrong withdrew his amendment, and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

The vote refusing to order to a third reading the bill to compel chancellors to hold their courts, was reconsidered, and the bill was read the third time and passed.

Bills were introduced by:

Mr. Phillips, to provide for the reporting and publishing the proceedings and debates of the succeeding legislature.

Mr. Phillips, to charter Mobile and Vera Cruz Mexican Gulf Steamship Company.

Mr. Austin, to compensate the county treasurer of Autauga county.

Said bills were severally read, and the constitutional rule being suspended, were read a second and third time forthwith and passed.

Mr. M. A. King, from the Committee on Corporations, reported back the bill to incorporate the Mobile Savings Institute without amendment; and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

The following bills from the Senate were severally read the second time, and the House refused to order them to a third reading:

Enlarging the powers of administrators *de bonis non:*

To provide for the payment of costs in certain cases against executors and administrators of insolvent estates: Also,

The Bills:

To prohibit colored mechanics or masons from making contracts for the erection of buildings, and

For the relief of W. D. Collins.

The Senate bill concerning poor houses, &c., was read the third time and passed.

The Senate bill to amend the law now in force on the subject of Dower, was read the second time and laid on the table.

The following bills were severally read the second time and laid on the table:

Relating to judicial proceedings:

Amending an act prescribing the mode of electing and defining the duties of tax assessors and collectors, approved 11th February, 1850:

To provide for the appointment of commissioners in chancery:

Authorising the issuance of attachments in certain cases:

To aid common schools, and for other purposes:

To increase the tax on sales of merchandise manufactured or bought in the non-slaveholding States:

To make an appropriation to the Macon Plank Road:

The bill to prohibit the intermarriage of white persons with persons descended from the African race, was read the second time.

Mr. Oates moved to lay the bill upon the table.

Mr. Price Williams demanded the yeas and nays, and the motion prevailed. Yeas 30; nays 26.

Those who voted in the affirmative are, Messrs. Adams, Allen, Armstrong, Austin, Beck, Benham, Bradford, J. W. Davis, Nich.

Davis, W. P. Davis, W. C. Graham, Kavanaugh, M. A. King, Liddell, McCaskill, McCollum, McMullen, Moss, Oates, Pettey, Phillips, Prentice, Reaves, Rowe, W. M. Smith, Staten, Stephens, Sterritt, Webb and Williamson.

Those who voted in the negative are, Messrs. Allison, Banks, Benbow, Bennett, Boon, Brown, Caffey, Carlisle, Nath. Davis, Glover, N. S. Graham, Henderson, Henshaw, Hopkins, J. W. W. Jackson, Lea, Manasco, Moragne, Pool, Presley, Price, Snowdon, Tarrant, Warren, Whitsitt and P. Williams.

The Senate bill to authorise attachments to issue in certain cases, was read the second time.

Mr. Moss moved to amend the 6th section by striking out the requirement on the plaintiff to swear to the special facts and circumstances of his case.

On motion of Mr. Moss, the bill and amendments were laid on the table.

The Senate bill to extend the power of circuit judges and chancellors in granting injunctions, was read a second time, and ordered to a third reading.

The Senate bill to provide for the preservation of the balances intended for the adjustment of standard weights and measures, was read the second time.

Mr. Wilson moved to lay the bill on the table.

The motion was lost, and the bill ordered to a third reading.

The bill to increase the salary of the State Treasurer was read the second time.

Mr. Stephens moved to lay the bill on the table, and demanded the yeas and nays, and the motion was lost. Yeas 25; nays 40.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Austin, Banks, Benbow, Boon, Bradford, Brown, Caffey, J. W. Davis, Henderson, M jors, Manasco, McMullen, Oates, Pool, Prentice, Presley, Reaves, W. M. Smith, Staten, Stephens, Tarrant, Webb and Wilson.

Those who voted in the negative are, Messrs. Adams, Allen, Ashley, Bass, Beck, Benham, Bulger, Carlisle, Clements, Cooper, Nath. Davis, Nich. Davis, Gladney, W. C. Graham, Hall, Hendree, Henshaw, Howard, F. S. Jackson, Lea, Liddell, Moragne, McCaskill, McCollum, Moss, Pettey, Phillips, Price, Robinson, Rowe, Sterritt, Snowden, Stone, Walker, Wallace, Watkins, Whitsitt, P. Williams, S. Williams and Williamson.

The constitutional rule being then suspended, the bill was read the third time forthwith.

Mr. Stone moved to amend by engrossed rider, which was read, and the House refused to order the same to a second reading.

And the bill then passed.

The bill to improve the navigation of the Coosa river, &c., was read the second time, and

On motion of Mr. Phillips, was indefinitely postponed.

The bill to provide for cancelling and registering the State bonds, when redeemed, was read the second time, and ordered to a third reading.

The joint resolutions from the Senate, proposing a call of a convention to alter and reform the Constitution of the State of Alabama, were read the second time.

Mr. W. C. Graham moved to lay said resolutions on the table, and demanded the yeas and nays, and the motion was lost. Yeas 34; nays 42.

Those who voted in the affirmative are, Messrs. Allen, Allison, Ashley, Banks, Bass, Benbow, Boon, Brown, Bulger, Carlisle, J. W. Davis, Nath. Davis, W. C. Graham, Hendree, Holley, Hopkins, Howard, Lea, Manasco, McMullen, Nicks, Pool, Presley, Price, Rowe, Staten, Sterritt, Stone, Tarrant, Watkins, Whitsitt, Williamson, Wilson and Woolsey.

Those who voted in the negative are, Messrs. Adams, Armstrong, Austin, Beck, Benham, Bradford, Caffey, Clements, Cooper, Cox, Nich. Davis, Earnest, Glover, Gladney, Hall, N. S. Graham, Henderson, Henshaw, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Liddell, Majors, Moragne, McCaskill, McCollum, Moss, Oates, Pettey, Phillips, Prentice, Reaves, Robinson, W. M. Smith, Walker, Wallace, Warren, Webb, Price Williams and S. Williams.

M. Williamson demanded the yeas and nays on ordering said resolutions to a third reading, and they were so ordered. Yeas 41; nays 33.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Armstrong, Austin, Beck, Benham, Bradford, Caffey, Carlisle, Cox, Critcher, Nich. Davis, Glover, Goldsby, N. S. Graham, Hall, Henderson, Henshaw, F. S. Jackson, J. W. W. Jackson, Kavanaugh, M. A. King, Majors, Moragne, McCaskill, McCollum, Moss, Oates, Pettey, Phillips, Prentice, Reaves, Robinson, W. M. Smith, Staten, Walker, Wallace, Warren, Webb, P. Williams and S. Williams.

Those who voted in the negative are, Messrs. Allen, Allison, Ashley, Banks, Bass, Benbow, Boon, Brown, Bulger, Bussey, Carlisle, J. W. Davis, Nath. Davis, Gladney, W. C. Graham, Holley, Hopkins, Howard, Lea, McMullen, Manasco, Nicks, Pool, Presley, Price, Rowe, Sterritt, Tarrant, Watkins, Whitsitt, Williamson, Wilson and Woolsey.

The Senate bill to alter the time of holding the circuit courts in the sixth judicial circuit, was read the second time, and the constitutional rule being suspended, was read the third time forthwith and passed.

The Senate bill to change the time of holding the spring term, 1852, of the circuit court of the county of Montgomery, was read, and the constitutional rule being suspended, was read the second and third times forthwith, and passed.

The following message was received from the Governor by Mr. Harrison:

Mr. Speaker: His excellency the Governor has approved the following bills:

An act to increase the pay of jurors in the county of Monroe:

An act for the relief of John Davis:

An act to incorporate the Presbyterian Female Institute at Talladega:

An act to incorporate the Brooklyn Male and Female Academy:

An act to repeal an act establishing justices' courts in Marion county:

An act to erect a tombstone over the remains of the Hon. John R. Larkins:

An act to authorise the appointment of an additional surveyor of Butler county:

An act to incorporate the Baptist Female Institute at Moulton.

The House resumed the consideration of the bill to provide for takidg the sense of the voters of the several townships of this State in regard to the consolidation of the 16th section fund.

Mr. Bulger moved to lay the bill on the table.

Mr. Robinson demanded the yeas and nays, and the motion was lost. Yeas 26; nays 49.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allison, Banks, Bass, Bulger, Caffey, Carlisle, Nath. Davis, Gladney, Goldsby, W. C. Graham, Hopkins, Kavanaugh, M. A. King, Lea, Moss, Reaves, Rowe, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Woolsey.

Those who voted in the negative are, Messrs. Allen, Armstrong, Ashley, Beck, Benbow, Bennett, Boon, Bradford, Brown, Bussey, Clements, Cooper, Cox, Critcher, J. W. Davis, Nich. Davis, Earnest, N. S. Graham, Hall, Henderson, Hendree, Holley, Howard, F. S. Jackson, J. W. W. Jackson, Majors, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Oates, Pettey, Phillips, Pool, Prentice, Presley, Price, Robinson, W. M. Smith, Staten, Sterritt, Snowdon, Stone, Tarrant, Walker, Wallace and Wilson.

The question recurred on the amendment of Mr. Lea, heretofore offerred.

Pending which, the hour of 5 P. M. having arrived, the House adjourned.

NIGHT SESSION, February 7, 1852.

The House met and resumed the consideration of the bill in relation to the consolidation of the 16th section fund.

The question recurred on the adoption of Mr. Lea's amendment.

Mr. Robinson demanded the yeas and nays on the adoption of the amendment, and the same was adopted. Yeas 39; nays 35.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Ashley, Banks, Bass, Bulger, Bussey, Carlisle, Coleman, Nath. Davis, Earnest, Gladney, Glover, Goldsby, Gonder, W. C. Graham, Hall, Hopkins, Jones, Kavanaugh, M. A. King, P. King, Lea, McCaskill, McCollum, Presley, Reaves, Rowe, W. M. Smith, Sterritt, Tarrant, Wallace, Watkins, Webb, Whitsitt, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Armstrong, Austin, Beck, Benbow, Benham, Boon, Brown, Caffey, Clements, Cooper, Cox, Critcher, J. W. Davis, W. P. Davis, N. S. Graham, Henderson, Hendree, Henshaw, Holley, Howard, J. W. W. Jackson, Liddell, Majors. Moragne, McMullen, Nicks, Pettey, Pool, Price, Robinson, Shelley, Staten, Stephens, Walker and Wilson.

Mr. Jones moved to amend by exempting Greene.

Mr. Goldsby moved to amend by exempting Perry.

Mr. Bussey moved to amend by exempting Dallas.

Mr· Whitsitt moved to amend by exempting Sumter.

Mr. Armstrong called the previous question.

Mr. Goldsby moved to lay the bill on the table.

Mr. Whitsitt demanded the yeas and nays, and the motion to lay on the table was lost. Yeas 26; nays 44.

Those who voted in the affirmative are, Messrs. Speaker, Allison, Banks, Bass, Bulger, Bussey, Caffey, Nathaniel Davis, W. P. Davis, Gladney, Glover, Goldsby, W. C. Graham, Hopkins, Jones, Kavanaugh, M. A. King, Lea, McCollum, Reaves, Rowe, Watkins, Webb, Whitsitt, and P. Williams.

Those who voted in the negative are, Messrs. Adams, Allen, Armstrong, Ashley, Austin, Beck, Benbow, Boon, Brown, Clements, Coleman. Cooper, Cox, Critcher, J. W. Davis, N. S. Graham, Hall, Henderson, Hendree, Henshaw, Holley, Howard, J. W. Jackson, Liddell, Majors, Moragne, McAllister, McCaskill, McMullen, Nicks, Pettey, Pool, Presley, Price, Robinson, Shelley, W. M. Smith, Staten, Stephens, Snowdon, Walker, Wallace, and Wilson.

Mr. Robinson demanded the yeas and nays on the call for the previous question, and the call was sustained. Yeas 52; nays 22.

Those who voted in the affirmative are, Messrs. Speaker, Adams, Allen, Armstrong, Austin, Banks, Beck, Benbow, Benham, Bennett, Boon, Brown, Carlisle, Clements, Coleman, Cooper, Cox, Critcher, J. W. Davis, Nich. Davis, W. P. Davis, Earnest, Gladney, Gonder, N. S. Graham, Hall, Henderson, Hendree, Henshaw, Holley, Howard, J. W. Jackson, Majors, Moragne, McCaskill, McCollum, McMullen, Nicks, Pettey, Pool, Presley, Price, Reaves, Robinson, Shelley, W. M. Smith, Staten, Stone, Walker, Wallace, Williamson, and Wilson.

Those who voted in the negative are, Messrs. Allison, Ashley, Bass, Bulger, Bussey, Caffey, Goldsby, W. C. Graham, Hopkins, F. S. Jackson, Jones, Kavanaugh, M. A. King, P. King, Lea, McAllister, Rowe, Stephens, Watkins, Webb, Whitsitt, and P. Williams.

Mr. W. C. Graham demanded the yeas and nays, on ordering the bill to a third reading; and the bill was so ordered. Yeas 47; nays 24.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Ashley, Austin, Beck, Benbow, Benham, Bennett, Boon, Brown, Carlisle, Clements, Cooper, Cox, Critcher, J. W. Davis, Nich. Davis, W. P. Davis, N. S. Graham, Hall, Henderson, Henshaw, Holley, Howard, J. W. W. Jackson, Liddell, Majors, Moragne, McAllister, McCaskill, McMullen, Nicks, Pettey, Pool, Presley, Price, Robinson, Shelley, W. M. Smith, Staton, Stephens, Stone, Walker, Wallace, Williamson, and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Banks, Bass, Bussey, Caffey, Coleman, Nathaniel Davis, Gladney, Glover, Goldsby, W. C. Graham, Hopkins, Jones, Kavanaugh, M. A. King, Lea, McCollum, Reaves, Rowe, Watkins, Webb, Whitsitt, and P. Williams.

The House concurred in the Senate's amendments to the following bills:

To authorise the Governor to furnish arms to the Wilcox Male Institute.

To provide for the building of a new court house in the county of Shelby, except the 9th section.

To compensate the agent of the State of Alabama to locate lands in lieu of the 16th sections in the Chickasaw purchase.

Granting the right of way to the Winchester and Alabama Railroad Company through the counties of Madison and Marshall.

The House receded from its amendment to the Senate bill to amend the charter of the Southern Bank of Alabama.

Mr. Stephens introduced a bill for the relief of Nelson Robinson, which was read, and on motion of Mr. Glover, laid on the table.

Mr. Hendree moved to suspend the orders to take up the bill to provide for the distribution of a certain fund therein named," and demanded the yeas and nays thereon, and the motion was lost. Yeas 28; nays 38.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Austin, Benbow, Boon, Brown, Bulger, Caffey, Carlisle, Cox, J. W. Davis, N. S. Graham, W. C. Graham, Henderson, Hendree, Holly, F. S. Jackson, J. W. W. Jackson, Moragne, McCollum, McMullen, Nicks, Pool, Presley, Reaves, Rowe, Shelley.

Those who voted in the negative are, Messrs. Speaker, Adams, Allen, Armstrong, Banks, Bass, Beck, Benham, Clements, Nich. Davis, W. P. Davis, Gladney, Glover, Goldsby, Gonder, Hopkins, Howard, Jones, Kavanaugh, M. A. King, P. King, Lea, McCaskill, Phillips, Price, Robinson, W. M. Smith, Staten, Stephens, Sterritt, Stone, Walker, Wallace, Watkins, Webb, P. Williams, Williamson, and Wilson.

The following bills from the Senate,

To incorporate the Cahawba and Woodville Plankroad Company, and

To repeal an act therein named,

Were severally read the second time, and the constitutional rule being suspended, were read the third time, forthwith, and passed.

Mr. Adams introduced a bill to which was read, and the constitutional rule being suspended, was read the second and third times forthwith and passed.

The Senate bill to fix the compensation of the commissioners to codify the laws of this State. was read, and the constitutional rule being suspended, was read the second and third times forthwith

Mr. Stephens moved to amend by engrossed rider, as follows: *Provided*, Said codifiers be required to prepare the index and head notes to said Code.

Mr. Walker called the previous question.

Mr. Hendree moved to adjourn, and demanded the yeas and nays. and the motion was lost. Yeas 16; nays 43.

Those who voted in the affirmative are, Messrs. Adams, Benbow. Bennett. Boon, Cox, Freeman, Henderson, Hendree, Liddell, Majors, McCollum, McMullen, Nicks, Stephens and Wilson.

Those who voted in the negative are, Messrs. Allen, Allison, Armstrong, Ashley. Austin. Banks, Bass, Beck, Benham, Nath, Davis, Nich. Davis, W. P. Davis. Gladney, Glover, Goldsby, Gondor, W. C. Graham, Hall, Henshaw, Holley. Hopkins. Howard, F. S Jackson, J. W. W. Jackson. Jones. Kavanaugh, M. A. King P. King, Lea, Moragne, McAllister, McCaskill, Phillips, Pool, Presley, Price, Reaves. Robinson, W. M. Smith. Staten, Sterritt, Stone, Walker, Wallace. Watkins, Webb, P. Williams, S. Williams and Williamson.

Mr. Presley moved to reconsider the vote just taken.

Mr. Hall, in the chair, decided that the chair believing the motion to be made for the purpose of delaying the action of the House, the same was out of order.

Mr. Presley appealed, and demanded the yeas and nays. and the chair was sustained. Yeas 44; nays 12.

Those who voted in the affirmative are, Messrs. Adams, Allen, Allison. Armstrong, Ashley, Austin, Banks. Bass, Beck, Benbow, Benham, Bennett, Boon, Bulger, Nath. Davis, Nich. Davis, W. P. Davis, Gladney, Glover, Goldsby. Gonder, N S. Graham, W. C. Graham, Hall, Holley, Hopkins, Howard, Jones, M. A. King, Lea, McCaskill, Pool, Price, Reaves, Robinson, Sterritt, Stone, Walker. Wallace, Watkins, Webb, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Cox, J. W. Davis, Freeman, Henderson, Hendree, Henshaw, F. S. Jackson, McCollum, McMullen, Nicks, Presley and W. M. Smith.

The previous question was sustained.

Mr. Presley demanded the yeas and nays on the passage of the bill, and the bill passed. Yeas 43; nays 25.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Armstrong, Bass, Beck, Benham, Bennett, Bulger, Nath. Davis, Nich. Davis, Earnest, Gladney, Goldsby, Gonder, N. S. Graham, W. C. Graham, Hall, Henshaw, Hopkins, Howard, F. S. Jackson, Jones, M. A. King, P. King, Lea, McAllister, McCaskill, Phillips, Pool, Price, Reaves, Robinson, Sterritt, Stone, Walker, Wallace, Watkins, Webb, P. Williams, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Adams, Austin, Banks, Benbow, Boon, Carlisle, Cox, J. W. Davis, W. P. Davis, Freeman, Henderson, Henshaw, Holley, Kavanaugh, Liddell, Majors, Moragne, McCollum, McMullen, Nicks, Presley, W. M. Smith, Staten, Stephens and Wilson.

The bill to make permanent the court house in Coosa county was read the second time, and, on motion of Mr. Cox, was laid on the table.

And at half-past ten the House adjourned.

Monday, February 9, 1852.

The House met pursuant to adjournment.

The bill to regulate the issuing of license to retail in Covington county was, on motion of Mr. Snowdon, taken from the table and ordered to be engrossed for a third reading.

Mr. Walker, from the Committee on the Judiciary, reported adversely to the resolutions in relation to the removal of free negroes from the State: also

To the bill authorising Hugh G. Windham to sell the real estate of his wards: and also

To the bill to provide for the payment of certain claims, &c.

Mr. Allison, from the same committee, reported adversely to the resolution to protect the guardian of female wards who may receive money before they arrive at the age of majority.

Mr. Goldsby, from the Committee on Propositions and Grievances, reported adversely to the accounts and petition of Benjamin Day: and

Mr. Earnest, from the Committee on Divorce and Alimony, reported adversely to the bill for the benefit of certain persons therein named.

Said reports were severally concurred in.

Mr. Webb, from the Committee on the Judiciary, reported back the bill to regulate the sale of cotton by commission merchants, with an amendment, which was concurred in, and the constitutional rule being suspended, the bill was read the third time forthwith and passed.

Mr. Bulger, from the Committee on the Military, reported back the Senate bill more effectually to ensure returns of the strength and condition of the militia of the State, with amendments, which were concurred in, and the bill was ordered to a third reading.

Mr. Earnest, from the Committee on Divorce and Alimony, reported a bill to divorce certain persons therein named, was read, and the rule being suspended, was read a second and third time, forthwith, and passed. And also reported back the bill to constitute K. Loxell a free dealer, without amendment. and the rule being suspended, the bill was read a third time, forthwith, and passed.

Mr. Phillips, from the Special Committee, reported back the bill to encourage the raising of sheep," as not having sufficient data to form a proper bill, and the committee was discharged.

Mr. Armstrong offered the following resolution, which was adopted:

Resolved, That no new business shall be introduced into the House after 1 P. M. of this day, except such as may be transmitted by the Senate.

The House concurred in the Senate's amendments to the following bills:

To incorporate the Pike Rangers in Pike county.

To create a clerkship in the comptroller's office.

To establish and abolish certain election precincts.

To incorporate the Salem Male and Female Academy.

For the relief of Peter McGee.

To alter and amend the law in relation to the taxation of costs in the Supreme Court.

The Senate bill to provide for taking the sense of the voters of the several townships of this State, in regard to the consolidation of the 16th section fund, was read the third time.

Mr. Seaborn Williams demanded the yeas and nays on the passage, and the bill passed. Yeas 50; nays 27.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Ashley, Austin, Beck, Benbow, Benham, Bennett, Boon, Booth, Brown, Clements, Cooper, Cox, Critcher, J. W. Davis, W. P. Davis, Freeman, Henderson, Henshaw, Holley, Howard, J. W. W. Jackson, Liddell, Manasco, Moragne, McAllister, McCaskill, McCollum, McMullen, Nicks, Oates, Pool, Prentice, Presley, Reaves, Robinson, Shelley, Shorter, W. M. Smith, Staten, Stephens, Sterritt, Snowdon, Walker, Wallace, Warren, G. W. Williams, P. Williams, and Wilson.

Those who voted in the negative are, Messrs. Speaker, Allison, Banks, Bass, Bulger, Bussey, Caffey, Nath'l. Davis, Earnest, Glover, Goldsby, Gonder, W. C. Graham, Hopkins, Jones, Kavanaugh, P. King, Lea, Moss, John Smith, Tarrant, Watkins, Whitsitt, S. Williams, Williamson, and Woolsey.

The bill was ordered to be sent forthwith to the Senate.

The joint resolution proposing a call of a convention to alter and reform the constitution of the State of Alabama, were read the third time.

Mr. Jones demanded the yeas and nays on the passage, and the resolutions passed. Yeas 38; nays 34.

Those who voted in the affirmative are, Messrs. Speaker, Armstrong, Austin, Bass, Beck, Benham, Bennett, Caffey, Clements, Cooper, Cox, Earnest, Freeman, Glover, N. S. Graham, Henshaw, F. S. Jackson, Jones, Kavanaugh, P. King, Liddell, McCaskill, McCollum, McMullen, Moss, Oates, Phillips, Pool, Reaves, Robinson, John Smith, Walker, Warren, Webb, G. W. Williams, P. Williams, S. Williams.

Those who voted in the negative are, Messrs. Allen, Allison, Banks, Benbow, Boon, Brown, Bussey, Critcher, J. W. Davis, Nath. Davis, W. P. Davis, Goldsby, Gonder, W. C. Graham, Hendree, Holley, Hopkins, Howard, J. W. W. Jackson, Lea, Manasco, McAllister, Nicks, Presley, Rowe, Shorter, W. M. Smith, Sterritt, Snowdon, Tarrant, Whitsitt, Williamson, Wilson, and Woolsey.

The Senate bills,

To provide for the preservation of the balances intended for the adjustment of the standard of weights and measures:

To extend the power of circuit judges and chancellors in granting injunctions, and the engrossed bill,

To provide for cancelling and registering the State bonds when redeemed, were severally read the third time, and passed.

The bill supplemental to an act providing for a keeper of the State House, approved 9th January, 1852, was read the second time, and the rule being suspended, was read the third time forthwith, and passed.

The bill compensating administrators in certain cases was read the second time and referred to the Committee on the Judiciary.

The bill to appropriate the three per cent. fund was read the second time, and, on motion of Mr. Nathaniel Davis, postponed until to-morrow.

Mr. Cooper moved to suspend the rule to enable him to introduce a bill to be entitled an act to take the vote of the citizens of Cedar Bluff Beat upon the question of retailing spirituous liquors in said beat, which motion was lost.

The following bills from the Senate were severally read the first, second, and third times, under a suspension of the constitutional rule, and passed.

Making appropriations for the payment of certain claims against the State.

To amend the charter of the town of Salem in Russell county:

Making appropriations to pay certain claims against the State.

(Amended on motion of F. S. Jackson by allowing twenty-one dollars to L. H. Dickinson.)

For the relief of Aaron Askew, tax collector of Lauderdale:

To compensate James H. Cooper for certain services:

For relief of J. C. Kirkland of Fayette county:

To repeal an act approved February 7th, 1850:

To incorporate the Sockopee and Dandesville Plank Road Company:

Supplementary to an act incorporating the Alabama Direct Trade and Exchange Company:

To incorporate the president and trustees of the Mountain Home Female Academy in Lawrence county:

To authorise the Central Plank Road Company to borrow money, &c:

To amend the road laws in Mobile county:

To legalise the sale of certain school lands and for other purposes:

To repeal an act to consolidate township fifteen of range thirty and thirty-one in Russell county:

Authorising bailiff's certificates of Russell county, to be received by the county treasurer as jury tickets, and to allow them mileage:

To incorporate the Russell Plank Road Company:

To suspend in part an act to make the county treasurer of Madison county and others elective by the people, approved January 13, 1852:

To incorporate the Tuskaloosa and North Port Manufacturing Company:

To incorporate the North Alabama Telegraph Company:

For the relief of John Cunningham and A. W. Majors of De Kalb county:

To authorise the appointment of an agent to settle and collect from the general government moneys advanced or expended by this State during the Mexican war.

The following joint memorials of the General Assembly of the State of Alabama to the Congress of the United States, were severally read and adopted, viz:

Praying a grant of lands to equalise the sixteenth section school funds:

For the graduation of the price of public lands and asking an extension of the time of making selections of school lands in aid of valueless 16th sections in the Chickasaw purchase.

The following bills from the Senate were read and laid on the table, viz:

To appropriate a portion of the three per cent. fund to the Tuskaloosa Plank Road Company:

To incorporate the Cotton Planters' Association:

To provide for removing obstructions in Pea river:

To provide for removing obstructions in the Little Bigbee, and the joint memorial concerning the account of Dr. James Rumph, and also the following Senate bills:

For the removal of the obstructions in the Black Warrior river:

For the improvement of the navigation of the Coosa river from Greensport, in St. Clair county, to the Georgia line, &c., and

To incorporate the Alabama and Mobile Plank Road Company.

The Senate bill to authorise county subscriptions to rail or plank roads, &c., was read, and the rule being suspended, was read the second time forthwith.

Mr. Hendree moved to lay the bill on the table.

Mr. Phillips demanded the yeas and nays, and the motion prevailed. Yeas 41; nays 20.

Those who voted in the affirmative are, Messrs. Speaker, Allen, Allison, Ashley, Austin, Banks, Bass, Benbow, Benham, Boon, Bradford, Caffey, Carlisle, Cox, J. W. Davis, Goldsby, N. S. Graham, W. C. Graham, Hendree, Hopkins, F. S. Jackson, P. King, Lea, Majors, Manasco, McCaskill, Moss, Nicks, Pool, Presley, Reaves, Rowe, John Smith, Staten, Stephens, Sterritt, Warren, Webb, S. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Armstrong, Booth, Cooper, W. P. Davis, Henshaw, Holley, J. W. W. Jackson, Jones, Liddell, Moragne, McCollum, McMullen, Oates, Phillips, Robinson, Shelley, Shorter, Walker, Wallace, P. Williams and Woolsey.

Mr. Earnest, from the Committee on Divorce and Alimony, reported back the Senate bill to legalise a certain marriage therein named, &c., without amendment, and the same was read the third time and passed.

Mr. Earnest offered the following resolution, which was adopted:

Resolved, That the State printer furnish each member of this House fifty copies of the caption of the acts of this session, and that he be allowed by the State 33 per cent. advance on the price paid for like services as printer.

The joint resolutions of the Senate to provide for the better preservation of the State archives, and warming the Senate Chamber and Hall of the House of Representatives, were read, and the rule being suspended, were read the second time forthwith.

Mr. Shelley moved to strike out all that relates to warming the capitol, which motion prevailed, and the bill was read the third time forthwith and passed.

The Senate bill to incorporate Wilkins' Landing Turnpike or Plank Road Company, was read and ordered to a second reading.

The Senate bill to improve the navigation of the Alabama river was read, and on motion of Mr. J. W. Davis laid on the table.

Messrs. Shelley and Bulger obtained leave to record their votes against the passage of the joint resolutions providing for a convention to revise the constitution of this State.

Mr. Reaves, from the Committee on Accounts, reported back the Senate bill making an appropriation for the payment of certain claims against the State, with an amendment, striking out the allowance to Weems.

Mr. W. C. Graham moved to lay the amendment on the table.

The Speaker demanded the yeas and nays, and the motion was lost. Yeas 9; nays 46.

Those who voted in the affirmative are, Messrs. Allen, Armstrong, Bass, Beck, Bradford, Bussey, W. C. Graham, Jones, McMullen and Oates.

Those who voted in the negative are, Messrs. Speaker, Allison, Austin, Banks, Benham, Boon, Booth, Caffey, Cooper, Cox, J. W. Davis, Nathaniel Davis, W. P. Davis, Earnest, Goldsby, Henshaw, Hopkins, F. S. Jackson, Lea, Liddell, Majors, McCaskill, McMullen, Moss, Nicks, Pettey, Pool, Prentice, Presley, Reaves, Shelley, Shorter, W. M. Smith, Staten, Stephens. Sterritt, Stone, Watkins, Webb, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

The amendment was then concurred in, and the rule being suspended the bill was read the third time forthwith and passed.

And at 2 o'clock P. M. the house adjourned.

NIGHT SESSION, February 9, 1852.

The House met pursuant to adjournment.

The roll being called, the following members answered thereto:

Messrs. Speaker, Adams, Ashley, Allison, Austin, Bass, Beck, Benbow, Benham, Booth, Brown, Bussey, Caffey, Carlisle, Cox, Critcher, J. W. Davis, W. P. Davis, Earnest, Freeman, Gladney, Goldsby, Holley, Hopkins, F. S. Jackson, Kavanaugh, Liddell, Majors, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Pool, Presley, Price, Reaves, Robinson, Rowe, Shelley, Shorter, W. M. Smith, Staten, Sterritt, Stone, Tarrant, Walker, Whitsitt, P. Williams, S. Williams, Williamson and Wilson.

Mr. Moragne, from the Committee on the Military, reported back the Senate bill to regulate the payment and duties of the quartermaster general of this state, &c., without amendment, which on motion of Mr. Adams was laid on the table.

The Senate bills:

To authorise Elizabeth Gunter, administratrix, &c., to sell certain real estate:

To give the powers of constable to the town marshal of Jacksonville and Elyton:

For the relief of F. M. Mills' heirs:

To dispose of a portion of the estate of Alfred Loftin, a minor:

To transfer the administration of the estate of Leroy Brasher to Shelby county:

To incorporate the Montevallo Male Institute:

To amend the act incorporating the town of Montevallo:

To incorporate Tuskaloosa Fire Company No. 1 of the city of Tuscaloosa:

To provide for the indigent sick in the counties of Autauga, Coosa, Pike and Coffee:

To define the liabilties of common carriers and warehouse proprietors, for injuries to goods, wares, merchandise, cotton, &c: (Mr. W. P. Davis moved to lay the bill on the table, which was lost.)

Incorporating the Benton County Iron Works:

Were severally read, and the constitutional rule being suspended, were read the second and third times forthwith, and passed.

The Senate bill to give additional fees to the constable in beat 12, Chambers county, was read, and ordered to a second reading.

The bill for the relief of Elijah Osborn and others, to practice medicine, was read the second time forthwith, and on motion of Mr. Bennett was laid on the table.

Mr. W. C. Graham moved to suspend the regular business, to take up the Senate bill on State apportionment.

Mr. Wilson demanded the yeas and nays, and the motion was lost. Yeas 25; nays 37.

Those who voted in the affirmative are, Messrs. Allison, Ashley, Benbow, Booth, Brown, Bussey, Carlisle, J. W. Davis, Earnest, Goldsby, W. C. Graham, Holley, Hopkins, F. S. Jackson, Lea, McCollum, Nicks, Presley, John Smith, Tarrant, Walker, Warren, Watkins, S. Williams and Williamson.

Those who voted in the negative are, Messrs. Speaker, Adams, Austin, Bass, Beck, Bennett, Benham, Boon, Bulger, Caffey, Cooper, Cox, Critcher, W. P. Davis, N. S. Graham, Henshaw, J. W. W. Jackson, Jones, Kavanaugh, Liddell, Majors, Manasco, Moragne, McCaskill, McMullen, Pool, Price, Reaves, Robinson, Rowe, Shorter, W. M. Smith, Staten, Sterritt, Stone, P. Williams and Wilson.

The Senate bill to authorise school commissioners to sue and be sued in certain cases, was read, and the rule being suspended, was read the second time forthwith.

Mr. Adams moved to lay the bill on the table, and the motion was lost.

The constitutional rule being then further suspended, said bill was read the third time forthwith and passed.

The bill from the Senate for the purchase and distribution by the State of a number of Reave's Digest of the Alabama Reporters, was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Hendree moved to lay the bill on the table.

Mr. Adams demanded the yeas and nays, and the motion prevailed. Yeas 32; nays 28.

Those who voted in the affirmative are, Messrs. Adams, Ashley, Austin, Beck, Benbow, Boon, Bulger, Caffey, Cooper, Critcher, J. W. Davis, Nath. Davis, Hendree, Kavanaugh, Majors, Manasco, Moragne, McCaskill, McCollum, McMullen, Nicks, Prentice, Presley, Reaves, Rowe, W. M. Smith, Staten, Tarrant, Warren, P. Williams, Williamson and Wilson.

Those who voted in the negative are, Messrs. Bass, Benham, Booth, Bradford, Bussey, Cox, W. P. Davis, Earnest, Goldsby, N. S. Graham, W. C. Graham, Henshaw, Holley, Hopkins, F. S. Jackson, Jones, Lea, Liddell, Moss, Price, Robinson, Shorter, Sterritt, Stone, Walker, Watkins, G. W. Williams and S. Williams.

The bills from the Senate:

To define the corporate limits of Wetumpka:

To authorise the compromise and sale of bad and doubtful debts belonging to the estate of Joshua Milner, late of Cherokee county, and of David Moore of Madison county:

To authorise Wilson Neisbet to erect a toll bridge across the Little Cahaba river:

To authorise Squire Chambers and his associates to build a toll bridge across Sautie creek, in the county of Jackson:

To change the line between the 71st and 91st regiments Alabama militia:

Were severally read, and the constitutional rule being suspended, were read the second and third times forthwith, and passed.

The Senate bill to define the duty of registers in chancery, in making the complete record of cases decided in chancery, was read, and ordered to a second reading.

The Senate bills:

To incorporate the Alabama and Mobile Plankroad Company, (taken from the table by Mr. Price Williams):

To regulate the duties and payment of the quartermaster-general of this State, &c., (taken from the table on motion of Mr. Bulger):

To incorporate the Cotton Planters' Association, (taken from the table on motion of Mr. Nicks):

Were severally read the third time, under the suspension of the constitutional rule, and passed.

The following bills from the Senate were severally read, and laid on the table:

To divide the State of Alabama into seven congressional districts, on motion of Mr. Phillips:

Amendatory to the laws of this State now in force on the subject of divorce, on motion of Mr. Beck:

To repeal in part an act the more effectually to suppress the evil practice of trading with slaves, approved February 12, 1850, on motion of Mr. Webb:

To provide for cancelling and registering the State bonds when redeemed, on motion of Mr. P. Williams:

Concerning registers in chancery, on motion of Mr. Cooper:

For the more effectual collection of debts by the State, on motion of Mr. Phillips.

The House concurred in the amendments of the Senate to the bill for the benefit of township 22, range 24, in Tallapoosa county.

The House adhered to its refusal to concur in the Senate amendments to the bill to incorporate the Brewersville Academy.

The House resumed the consideration of the joint memorial to the Congress of the United States, praying a grant of land to aid in the construction of certain railroads mentioned therein.

The question recurred on the adoption of the amendment heretofore offered by Mr. F. S. Jackson, and the same was adopted.

On motion of Mr. Lea the joint memorial was laid on the table.

Mr. Walker introduced a bill supplemental to an act to amend an act to authorise and regulate the business of banking, which was read, and the constitutional rule being suspended, was read the second time forthwith.

Mr. Cox moved to amend by striking out "two" to insert "one."

Mr. Adams called a division of the question, which was first taken on striking out, and the motion prevailed.

Mr. Adams moved to fill the blank with five, and the motion was lost.

On motion of Mr. N. S. Graham, the vote striking out two was reconsidered, and the House refused to strike out.

The constitutional rule being then further suspended, the bill was read the third time forthwith and passed.

Mr. Phillips made the following report:

The committee on part of the House, to act with a committee on part of the Senate, to select an agent to collect information in reference to the best mode of constructing a lunatic asylum and conducting the same, instruct me to report that they have selected Dr. A. Lopez of the city of Mobile, for that purpose.

They also instruct me to report that they have selected the county of Tuskaloosa as the site for said institution.

P. PHILLIPS,
Chairman Select Committe.

The following message was received from his excellency the governor, by Mr. Harrison:

Mr. Speaker: His excellency the Governor has approved bills which originated in the House of Representatives, of the following titles, to wit:

An act to extend the charter of the Mobile Bank:

An act providing for the removal of the county site for the county of De Kalb:

An act to authorise judges of the probate courts to correct mistakes in their courts, and for other purposes:

An act to establish a new company beat in Marshall county:

An act to amend an act to incorporate the town of Huntsville:

An act to appoint a receiver of the two per cent. fund:

An act to incorporate the Memphis, Alabama, Plankroad Company:

An act to locate school lands of township 17, range 1 west, in Sumter county:

To authorise the Tuskaloosa Plankroad Company to borrow money:

An act to require clerks of the different courts and judges of probate courts to make reversed indexes, &c.:

An act to revive an act incorporating the town of Richmond, Dallas county:

An act for the relief of W. W. McLester, deceased:

An act for the relief of E. L. Moore, jailor of Wilcox county:

An act to amend the charter of the Eufaula and Mobile Railroad Company:

TUESDAY, February 10, 1852.

The House met pursuant to adjournment.

The bills from the Senate:

Supplemental to an act to extend the corporate limits of the town of Huntsville:

To authorize the commissioners' court of Cherokee county, to lay out and establish private roads:

To authorize Eliza Jane Weeden to qualify as executrix of the last will and testament of William Weeden, deceased:

To prevent the obstruction of roads by the falling of telegraph wires:

Were severally read, and the constitutional rule being suspended, were read the second and third times, forthwith, and passed.

The House concurred in the Senate's amendments to the following bills:

To change the names of certain persons therein named:

To alter and amend the charter of the city of Montgomery.

The House receded from its amendments to the bill for the better preservation of the State Archives, and warming the Senate chamber and hall of the House.

The Senate bills:

To give additional fees to the constable in beat No. 12, Chambers county:

To define the duty of registers in chancery, in making complete records of cases in chancery:

More effectually to ensure returns of the strength of the militia in this State:

To incorporate Wilkins' Landing Turnpike or Plank Road Company.

Were severally read the second and third times, under a suspension of the constitutional rule, and passed.

The Senate bill for the relief of Isaac Osborn and others, to practice medicine, was taken from the table, on motion of Mr. Austin, and read the second time.

Mr. Bulger moved to amend by adding John B. Callehan of Tallapoosa county, which was adopted, and the bill was read the third time, forthwith, under a suspension of the constitutional rule and passed.

Mr. Phillips obtained leave to record his vote against the passage of the bill to authorize the clearing out of Pass Heron, as inexpedient and illegal, which bill passed during his absence.

The Senate bill regulating the duty of executors, administrators and guardians, in certain cases, was read and laid on the table, on motion of Mr. Wallace.

The Senate joint memorial to the Congress of the United States asking an appropriation of land to aid in the establishment of a hospital for insane persons, and for the education of the blind, and deaf and dumb, was read and adopted.

The Senate bill authorizing the governor to appoint an agent to settle with John G. Graham, lessee of the penitentiary, was read, and the rule being suspended, was read a second and third times, forthwith, and passed.

The Senate bill for the relief of Riley F. Perdue, was read the second and third times, under a suspension of the rule, and passed.

The vote by which the bill to incorporate the Cotton Planters' Association passed, was reconsidered, and the House refused to pass said bill.

Mr. Wilson, from the committee on Accounts, reported adversely to the accounts of D. S. Harbin, of B. W. Cammer, of Fountain and Dent, of Swan Shelton, and of Alfred Skelton, their payment having been provided for out of the allowance to the commissioners to codify the laws, and Mr. Wallace withdrew the accounts.

The following message was received from the governor, by Mr. Harrison:

Mr. Speaker: His excellency the governor, has approved bills which originated in the House of Representatives, of the following titles, to-wit:

An act to establish a certain road therein named:

To incorparate the Selma Marine and Fire Insurance Company:

An act to provide for contesting the municipal elections in Mobile:

An act to provide for the payment of jurors in certain cases, in Franklin county:

An act to charter the Montgomery Insurance Company:

An act to incorporate the Cherokee Plank Road Company, and the Gadsden and Springville Plank Road Company:

An act to incorporate the Eufaula Rail Road Company:

An act to amend the road laws in Lauderdale county:

An act to incorporate the Montgomery and Mobile Rail Road Company:

An act to provide for the payment of jurors in certain cases:

An act to change the mode of receiving and disbursing the revenue of Mobile county, &c.:

An act to incorporate the Conecuh Plank Road Company:

An act to incorporate the city of Selma:

An act to aid the Alabama and Mississippi Rail Road Company:

An act to incorporate the East Alabama Female Institute, at Talladega:

An act to incorporate the town of Frankfort, in Franklin county:

An act to compel chancellors to hold their courts:

An act to incorporate the Orrville Institute:

An act to incorporate the Cahaba Valley Rail Road Company:

An act making appropriations for the years 1852 and '53:

An act for the payment of certain claims against the State:

An act to compensate Joseph and John Ray:

An act allowing appeals from the decisions of the Mayor and Alderman of the city of Montgomery.

Mr. Lea offered the following resolution, which was unanimously adopted:

Resolved, That the unfeigned thanks of the House of Representatives are unquestionably due, and are hereby freely expressed to the Speaker, for the impartial, indefatigable and able manner in which he has discharged the arduous and varied duties of the chair.

Mr. Kavanaugh offered the following resolution, which was unanimously adopted:

Resolved, That the principal, assistant and engrossing clerks and door keeper of the House of Representatives, are entitled to our thanks for the faithful and prompt discharge of the duties of their respective offices.

The rule requiring the House to adjourn at one o'clock, was suspended, and the House adjourned.

AFTERNOON SEISION, February 10, 1852.

The House met pursuant to adjournment.

Mr. Phillips introduced a bill supplemental to an act, to establish a State Hospital for insane persons in Alabama, which was read, and the conststutional rule being suspended, was read the second and third times forthwith, and passed.

Said bill was sent forthwith to the Senate.

The House concurred in the amendments of the Senate, to the State apportionment bill.

The House also concurred in the Senate's amendment to the Congressional apportionment bill.

The rule requiring the House to adjourn at 5 o'clock being suspended, the House adjourned.

NIGHT SESSION, February 10, 1852.

The House met pursuant to adjournment.

The following message from the Governor was received by Mr. Harrison:

Mr. Speaker: His excellency the Governor has approved bills of the following titles which originated in the House of Representatives, to-wit:

To incorporate the Wetumpka Mutual Insurance Company:

To authorise the county of Barbour to subscribe for Rail Road Stock:

To establish a Turnpike Road in the county of St. Clair:

Authorising certain persons to construct Dams across Wills' Creek.

To create a Clerkship in the Comptroller's Office:

For the relief of Peter McGee:

To alter and amend the law in relation to the taxation of costs in the Supreme Court:

For the relief of Mark Boulware:

Joint resolutions to provide for the printing and distributing the amended Military Code prepared by the Committee on the Military Code:

To establish a Homœopathic Medical Society in the City of Montgomery:

To compensate the agent of the State of Alabama to locate lands in lieu of sixteenth sections in the Choctaw purchase:

To provide for the payment of certain claims against the State for servant hire, and sundry articles for the use of the General Assembly.

To define and regulate the liability of Rail Road Companies:

To authorise the Governor to furnish arms to the Orrville Institute, in Dallas county:

Amendatory to the acts of 1837 and 1843 in relation to the Small Pox, and other contagious diseases:

To incorporate the Alabama and Georgia Rail Road Company:

To incorporate the Alabama and Noxuba, Mississippi, Rail Road Company:

For the relief of John Judah, of Dale county, and John B. Romin, of Walker:

To authorise the Governor to furnish arms to the Wilcox Male Institute:

To change the West Point and Tallassee Road:

Joint memorial to the Congress of the United States upon the subject of public lands and rail and plank roads:

To change the name of certain persons therein named:

To amend and confirm the charter of the Bibb County Steam Mill Company:

To appoint an additional Surveyor in the counties of Cherokee and Fayette:

To establish and abolish certain election precincts:

To compensate John W. Murphy and Samuel Palmer for money paid out and services rendered the State:

To authorise Joseph Chason and his associates to build a toll bridge across Carty Bogue Creek, in Washington county:

To incorporate the Elba Manufacturing Company:

To consolidate certain Captain Beats in Franklin county:

To authorise G. W. Taylor to erect gates on a certain road:

To incorporate the Pike Rangers, in Pike county:

To incorporate the Milltown Male and Female Acadamy, in Chambers county:

To incorporate the Masonic Female College, at Auburn: and The Glenville Female College:

To incorporate the Northern Bank of Alabama:

To change the names of certain persons therein named:

To incorporate the Montevallo Male Institute:

To amend and alter the charter of the City of Wetumpka:

For the benefit of township twenty-two, range twenty-four east, in Tallapoosa county, township sixteen, in Benton county, and township seven, in Lawrence county:

Granting the right of way to the Winchester and Alabama Rail Road Company through the counties of Marshall and Madison:

To regulate the sale of cotton by commission merchants:

Supplemental to an act approved February 5. 1850, to locate the county site of Washington county:

To incorporate the Alabama and Mississippi Telegraph Company:

To require the early publication of the head notes of the decisions of the Supreme Court:

To incorporate the Creole Union Benevolent Society of the City of Mobile:

To incorporate the Mobile and Philadelphia Steamship company:

To incoporate the Mobile and Vera Cruz Mexican Gulf Steamship Company:

To require additional duties of clerks of circuit courts of this State, &c.:

Supplemental to an act providing for a keeper of the State House, approved January 9, 1852:

To change the boundary lines between the counties of Monroe and Conecuh:

To apportion Representatives among the several counties in this State. and to divide the State into Senatorial districts:

To provide for cancelling and registering the State bonds when redeemed:

To divorce certain perons therein named:

Further to equalise and improve the revenue laws:

Supplemental to an act to amend an act to authorise and regulate the business of Banking:

To prevent the sale of spirituous liquors to free persons of color:

Supplemental to an act to establish a Hospital for insane persons in Alabama:

To apportion the State into seven Congressional Districts.

Mr. Lea offered the following resolution, which was adopted:

Resolved, That a committee of three be appointed by the chair to act with such committee as may be appointed by the Senate, who shall wait upon his excellency the governor, and know of him if he has any further communications to make, and if not, that the two Houses have now disposed of the businesss before them, and are ready to adjourn *sine die.*

Messrs. Lea, Nath. Davis and Rowe composed said committee on the part of the House.

A message was received from the Senate, by Mr. Kidd, informing the House of the concurrence of the Senate in said resolution, and the appointment of Messrs. Storrs, Crenshaw and Aldridge as the committee on part of the Senate.

Mr. Lea, from said committee, reported that his Excellency had no further communication to make.

Mr. Speaker, after delivering his valedictory address, pronounced the House adjourned *sine die.*

JOHN D. RATHER, *Speaker.*

Attest,

ALEXANDER B. CLITHERALL,
Principal Clerk.

MONTGOMERY, February 10, 1852.

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MANASCO, Mr.—Introduced bills, 65, 77, 92, 142, 160, 247, 266, 278, 296, 305, 451; presented petitions and accounts, 60; offered resolutions, 278, 395; moved to amend bills, 58, 269, 312, 376, 468, 508, 523, 537; moved to amend resolutions, 61, 480; moved to lay bills on the table, 219, 281; moved to lay resolutions on the table, 311; moved to lay amendments on the table, 465; moved to lay reports on the table, 327; moved to postpone to a day certain, 72, 251, 262, 281, 310, 322, 464, 539; moved the previous question, 535; called for a division of the question, 184, 218, 396; moved to suspend constitntional rule, 252.

McALLISTER, Mr.—Introduced bills, 203.

McCASKILL, Mr.—Introduced bills, 170, 296, 376, 393, 462, 463; presented petitions and accounts, 60, 86, 216, 284; offered resolutions, 233; moved to amend bills, 534.

McCOLLUM, Mr.—Introduced bills, 82, 86, 92, 107, 145, 181, 193, 313, 326, 397, 444; presented petitions and accounts, 429; moved to amend bills, 184, 442, 469; moved to lay bills on the table, 381, 550; moved to lay reports on the table, 473.

McMULLEN, Mr.—Introduced bills, 86, 107, 199, 266, 396, 479; presented petitions and accounts, 56; offered resolutions, 395; moved to amend bills, 75, 470, 510; moved to lay bills on the table, 464; moved to lay amendments on the table, 250; moved to lay report on the table, 326, 378, 469, 470, 474; moved to reconsider vote of the House, 514.

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MOSS, Mr.—Introduced bills, 142, 199, 234, 247, 278, 296, 304, 325, 391; offered resolutions, 97, 214; presented petitions and accounts, 107, 146, 199, 234, 266, 414; moved to amend bills, 236, 283, 380, 383, 429, 550, 552; moved to amend resolutions, 258, 362; moved to lay bills on the table, 402, 552; moved to lay reports on the table, 172; called for a division of the question, 125; moved to postpone to a day certain, 182, 277, 535; moved to postpone indefinitely, 184; moved to reconsider vote of the House, 197.

MORAGNE, Mr.—Introduced bills, 212, 234, 325, 414.

NICKS, Mr.—Introduced bills, 57, 199. 463; presented petitions and accounts, 234; moved to amend bills, 358; moved to amend resolutions, 51, 96, 260, 277; moved to lay bills on the table, 397, 530; moved to lay amendments on the table, 491; moved to lay reports on the table, 236; moved to postpone to a day certain, 98; moved to reconsider vote of the House, 313, 495.

OATS, Mr.—Introduced bills, 170, 234, 266, 376; presented petitions and accouuts, 86; offered resolutions, 86, 359, 419; moved to amend bills, 202, 418, 445, 453, 541; moved to amend resoluions, 142, 269; moved to lay bills on the table, 551; moved to lay amendments, 445; moved to postpone to a day certain, 198, 201, 244, 253, 369, 380, 392, 413; called for a division of the question, 241, 445; moved the previous question, 358; appealed from the decision of the chair, 453.

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PETTEY, Mr.—Introduced bills, 305, 513, 550; moved to amend bills, 517.

PHILLIPS, Mr.—Introduced bills, 52, 56, 77, 86, 107, 161, 208, 213, 216, 257, 376, 414, 429, 431, 551, 569; offered resolutions, 57, 60, 86, 89, 152, 488; moved to amend bills, 232, 251, 332, 439, 524, 548; moved to amend resolutions, 80; moved to lay bills on the table, 189, 201; moved to lay report on the table, 204, 384; called for a division of the question, 202; moved to postpone to a day certain, 204, 235, 244; moved to postpone indefinintely, 552; appealed from the decision of the chair, 441.

PRENTICE, Mr.—Introduced bills, 199, 305.

PRESLEY, Mr.—Introduced bills, 145, 180, 215, 397; moved to amend bills, 197, 436; moved to amend resolutions, 362, 420; moved to lay resolutions on the table, 286; moved to reconsider vote of the House, 498, 557.

PRICE, Mr.—Introduced bills, 92, 392, 462; presented petitions, 421.

REAVES, Mr.—Introduced bills, 82, 107, 278, 462; moved to amend bills, 197; moved to lay report on the table, 206.

ROBINSON, Mr.—Introduced bills, 101, 445; offered resolutions, 85, 395; appealed from the decision of the chair, 455.

ROPER, Mr.—Introduced bills, 52, 57, 82, 142, 325, 360.

RATHER, Mr.—Elected Speaker of the House, 6; introduced bills, 267; presented petitions and accounts, 181.

ROWE, Mr.—Introduced bills, 181, 213, 246, 267, 305, 513; presented petitions and accounts, 71, 83, 247, 305, 326; offered resolutions, 82, 269; moved to amend bills, 373, 485, 490; moved to amend resolutions, 388; moved to lay bills, resolution and amendments on the table, 418; moved to lay reports on the table, 182, 368; moved the previous question, 320; moved to postpone to a day certain, 368.

SHELLEY, MR.—Introduced bills, 107, 376, 377, 462, 547; presented petitions and accounts, 60, 186, 433; offered resolutions, 301; moved to amend bills, 512, 533, 562; moved to amend resolution, 286; moved to lay bills on the table, 289, 371, 374; moved to lay resolutions on the table, 253; moved to lay report on the table, 470, 493; moved to postpone indefinitely, 79; moved to postpone to a day certain, 321, 369, 441; appealed from the decision of the chair, 366; called for a division of the question, 512; moved to reconsider vote of the House, 521.

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SHORTER, MR.—Introduced bills, 101, 145, 312, 423, 428; memorials to Congress, 52; presented petitions and accounts, 86, 233, 375, 423; offered resolutions, 13, 16, 51, 79, 142, 241; moved to amend bills, 58, 514; moved to amend resolutions, 98, 152, 319, 362, 396; moved to lay bills on the table, 93, 204, 283, 369; moved to lay resolutions on the table, 79; moved to lay amendments on the table, 358; moved to lay reports on the table, 413; moved to take up resolutions, 97; moved to postpone indefinitely, 482; moved to postpone to a day certain, 401, 503; moved to reconsider vote of the House, 425, 442; moved the previous question, 458, 480, 517.

SMITH, JOHN MR.—Introduced bills, 77, 215, 523, 524; moved to reconsider vote of the House, 276; moved to lay report on the table, 475.

SMITH, WESLEY M. MR.—Introduced bills, 260, 278, 296, 388; 502; offered resolutions, 14, 57, 134, 207, 256; moved to amend bills, 369, 468; moved to amend resolutions, 54, 277, 311; moved to lay bills on the table, 322, 508; moved to lay resolutions on the table, 17, 196; moved to lay amendments on the table, 190, 256, 269, 502; moved to lay report on the table, 369; moved to postpone to a day certain, 267, 277, 357, 461, 519; called for a division of the question, 256; moved to reconsider vote of the house, 380.

STATON, MR.—Introduced bills, 56, 86, 208; offered resolution, 88; moved to amend bills, 74, 92; moved to lay bills on the tabie, 271; moved to lay resolutions on the table, 198.

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STEPHENS, MR.—Introduced bills, 92, 305, 556; presented petitions and accounts, 60, 142, 260; offered resolutions, 162, 358; moved to amend bills, 430, 458, 557; moved to lay bills on the table, 298, 463, 552; moved to postpone to a day certain, 296, 370, 525; moved to postpone indefinitely, 457, 465.

STERRITT, Mr.—Introduced bills, 77, 260, 325, 451; presented petitions, 186, 279; moved to amend bills, 289, 487; moved to lay bills on the table, 458; moved to lay amendment on the table, 238; moved to lay report on the table, 268; moved to reconsider the vote of the House, 321, 526.

SNOWDEN, Mr.—Introduced bills, 82, 101, 141, 185, 304, 312, 325, 375, 393, 462; moved to amend bills, 75, 403, 470, 521; moved to amend resolutions, 362; moved to lay reports on the table, 206, 269, 496; moved to postpone to a day certain, 290, 292; moved to reconsider vote of the House, 291, 504, 526, 533.

STONE, Mr.—Introduced bills, 52, 57, 161, 375, 376, 383, 393, 451, 547; presented petitions and accounts, 71, 89, 161, 383; offered resolutions, 84, 140; moved to amend bills, 92, 535, 552; moved to lay reports on the table, 306; called for a division of the question, 317.

TARRANT, Mr.—Introduced bills, 59, 234, 257, 376, 383; presented petitions and accounts, 393; moved to amend bills, 515; moved to lay report on the table, 471.

TURNER, Mr.—Introduced bills, 65, 71, 170, 246; presented petitions and accounts, 77; moved to postpone to a day certain, 480; appealed from the decision of the chair, 506.

WALKER, Mr.—Introduced bills, 77, 267, 566; presented petitions and accounts, 213, 434; offered resolutions, 106; moved to amend bills, 482; moved to amend resolutions, 89, 143, 259; moved to lay bills on the table, 381; moved to lay amendments on the table, 491, 549, 557; moved to postpone to a day certain, 171, 181, 457; moved to recommit, 198.

WALLACE, Mr.—Introduced bills, 14, 65, 142, 160, 259, 266, 360, 384, 502; presented petitions and accounts, 14, 172, 384; offered resolutions, 57, 68, 288, 303; moved to amend bills, 385, 514; moved to lay reports on the table, 300; moved to postpone to a day certain, 442.

WALTON, Mr.—Introduced bills. 82, 86, 216, 360, 383; offered resolutions, 253; moved to amend bills, 92, 190; moved to lay amendments on the table, 517.

WARREN, Mr.—Introduced bills, 64, 101, 107, 234, 383, 429; presented petitions and accounts, 266; moved to amend bills, 92; moved to lay bills on the table, 76; moved to lay amendments on the table, 510; called for a division of the question, 237.

WATKINS, Mr.—Introduced bills, 82, 170, 266, 278, 304, 388, 444, 445, 462, 479; offered resolutions, 109; presented petitions and accounts, 247, 296; moved to amend bills, 436, 525; moved to lay bills on the table, 201.

WEBB, Mr.—Introduced bills, 160, 208, 376, 397, 444, 462; presented petitions and accounts, 186, 370, 414; offered resolutions, 109, 260, 333, 492; moved to amend bills, 511; moved to amend resolutions, 121, 218, 286; moved to lay bills on the table, 459; moved to lay resolutions on the table, 88; moved to lay amendments on the table, 198, 236, 468, 544; moved to lay reports on the table, 300, 474; moved to postpone to a day certain, 105; moved the previous question, 316; called for a division of the question, 522; moved to reconsider vote of the House, 544.

WHITSITT, Mr.—Introduced bills, 52, 71, 142, 145, 170, 260, 313, 360, 393, 451, 502; offered resolutions, 451; moved to amend bills, 262, 520, 555; moved to lay bills on the table, 489, 548; moved to lay reports upon the table, 391, 489; moved to postpone to a day certain, 362, moved the previous question, 537.

WILLIAMS, Mr. George W.—Introduced bills, 170, 181, 212; presented petitions and accounts, 52, 160, 213; offered resolutions, 195; moved to lay amendments on the table, 202; moved the previous question, 419.

WILLIAMS, Mr. Price—Introduced bills, 57, 82, 141, 208, 213, 216, 246, 266, 284, 313, 325; presented petitions and accounts, 161, 172, 313; offered resolutions, 306; moved to amend bills, 268, 274, 381, 384, 532, 539; moved to amend resolutions, 89, 198, 253, 441; moved to lay resolutions on the table, 276; moved to lay amendments on the table, 486; moved the previous question, 275, 539; called for a division of the question, 79, 124, 299; moved to reconsider vote of the House, 105, 199, 252, 380, 543.

WILLIAMS, Mr. Seaborn—Introduced bills, 71, 181, 186, 216, 234, 235, 257, 304, 312, 428, 444, 445; presented petitions and accounts, 146; moved to amend bills, 71, 249, 250; moved to lay report on the table, 78; moved to reconsider vote of the House, 172; moved to postpone to a day certain, 235.

WILLIAMSON, Mr.—Introduced bills, 145, 199, 215, 234, 296, 298, 463; moved to amend bills, 461; moved to lay bills on the table, 536, 540; moved to lay amendments on the table, 536; moved to postpone to a day certain, 286, 297, 491; moved to reconsider vote of the House, 304, 488, 546.

WILSON, Mr.—Introduced bills, 94, 203, 266, 462; presented petitions and accounts, 56, 77, 94, 204, 208, 247, 360, 393, 397; offered resolutions, 12; moved to amend bills, 460; moved to amend resolutions, 260, 316, 390; moved to lay bills on the table, 546, 552; moved to lay resolutions on the table, 17; moved to lay amendments on the table, 248; moved to lay reports on the table, 496; moved to postpone to a day certain, 105, 169, 366, 416, 442, 458: moved to reconsider vote of the House, 484; called for a division of the question, 453.

WOOLSEY, Mr.—Introduced bills, 141, 208, 213, 215, 369, 428, 444, 479; presented petitions and accounts, 65, 142, 234, 313, 360; offered resolutions, 201; moved to lay reports on the table, 495.